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House Journal

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JOURNAL

OF THE

House of Representatives

OF THE

SIXTEENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY

OF THE

Territory of Dakota.

JANUARY 1885.

BISMARCK, DAK.:
TRIBUNE, PRINTERS AND BINDERS.
1885.

250 COPIES ORDERED BOUND.

Journal of the House.

SIXTEENTH SESSION.

FIRST DAY.

Bismarck, Tuesday, January 13, 1885.

At twelve o'clock, meridian, on this second Tuesday, being the thirteenth day of January, A. D., 1885, and the day and hour appointed by law, in the hall of the House of Representatives, at Bismarck, the Capital, assembled the members of the House of Representatives of the Sixteenth Legislative Assembly of this Territory, who were called to order by Mr. Theodore Kingsbury, Chief Clerk at the last session.

The Chief Clerk then proceeded to make a roll of the members-elect of the House of Representatives from the certificates of election, as provided by law; and upon the roll being called, the following gentlemen responded to their names, to-wit:

First District	Ole A. Helvig.
	John Larson.
	Eli Dawson.
	Hans Myron.
Second District	A. L. Van Osdel.
	Hugh Langan.
	J. P. Ward.
	J. H. Swanton.

Third District..........A. J. Parshall.
Mark Ward.
C. E. Huston.
H. M. Clark.
Fourth District........P. L. Runkel.
J. M. Bayard.
H. W. Smith.
W. H. Riddell.
Fifth District..........George Rice.
John Hobart.
J. C. Southwick.
V. V. Barnes.
Sixth District..........J. A. Pickler.
John T. Blakemore.
George W. Pierce.
M. L. Miller.
Seventh District.......George H. Johnson.
M. T. DeWoody.
Eugene Huntington.
F. A. Eldredge.
Eighth District........A. L. Sprague.
E. W. Martin.
H. M. Gregg.
A. McCall.
Ninth District.........E. A. Williams.
W. F. Steele.
Henry W. Coe.
Julius Stevens.
Tenth District.........S. E. Stebbins.
P. J. McCumber.
Harry S. Oliver.
T. M. Pugh.
Eleventh District.......Dr. E. T. Hutchinson.
W. N. Roach.
C. W. Morgan.
J. W. Scott.

Twelfth District.......Donald Stewart.
Henry Stong.
H. H. Ruger.
Patrick McHugh.

The oath of office was thereupon administered to the gentlemen above named, and they then subscribed their names thereto, all by, and in the presence of the Honorable William H. Francis, Associate Justice of the Supreme Court of the Territory of Dakota.

Rev. P. Clare then offered prayer, after which the House then proceeded to the election of a Speaker.

Mr. Barnes nominated Mr. George Rice of Moody county for Speaker, and there being no other nominations, the roll was called and Mr. Rice received forty-seven votes:

Those who voted for Mr. Rice were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkel, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward, of Brule.

Mr. Rice not voting.

And it appearing that Mr. Rice had received a majority of all the votes cast he was declared Speaker, and took and subscribed the oath of office admistered and attested by the Honorable William H. Francis, Associate Justice of the Supreme Court of the Territory of Dakota.

The election of a Chief Clerk being next in order, Mr. Blakemore nominated Cassius M. Reed, of Sully county, and there being no other nominations, a vote was taken by acclamation, which resulted in the election of Mr. Reed as Chief Clerk of the House.

There being no votes in the negative.

Mr. Van Osdel nominated J. G. Hamilton, of Grand Forks county, for Assistant Clerk, and there being no other nominations, a vote was taken by acclamation, and Mr. Hamilton was declared elected.

There being no votes in the negative.

Mr. Bayard nominated Mr. H. H. Pierce, of McCook county, for Enrolling and Engrossing Clerk, and there being no other nominations, a vote by acclamation was taken which resulted in the election of Mr. Pierce.

There being no votes in the negative.

Mr. Pugh then placed in nomination Mr. Edward A. Smith for Assistant Enrolling and Engrossing Clerk, and there being no other nominations, a vote by acclamation was taken which resulted in the election of Mr. Smith.

There being no votes in the negative.

The following message was received from the Council:

MESSAGE TO THE HOUSE.

MR. SPEAKER:—I have the honor to announce to your honorable body that a quorum of the Council has assembled and is ready for the transaction of business, and has organized by the election of the following officers:

President, J. H. Westover.
Chief Clerk, A. W. Howard.
Assistant Clerk, W. G. Eakins.
Sergeant-at-Arms, Andrew Thompson.
Chaplain, C. D. Austin.
Enrolling and Engrossing Clerk, N. B. Kent.
Messenger, F. S. Rudesell.
Assistant Sergeant-at-Arms, John Todd.
Watchman, D. S. Waldo.
Clerk of Judiciary Committee, J, S. Preston.

W. G. EAKINS,
Assistant Clerk of Council.

Mr. Eldridge then nominated John A. Munro, of Roberts county for Sergeant-at-Arms, and there being no other nominations, a vote by acclamation was taken, which resulted in the election of Mr. Munro.

There being no votes in the negative.

Mr. Coe then nominated W. A. Carr, of Morton county, for Messenger of the House, and no other nominations being made, a vote was taken by acclamation, which resulted in the election of Mr. Carr.

There being no votes in the negative.

Mr. DeWoody then nominated Mr. M. Flick for Watchman, and there being no other nominations, a vote was taken by acclamation, which resulted in the election of Mr. Flick.

There being no votes in the negative.

Mr. Blakemore then nominated Rev. P. Clare, of Burleigh county, for Chaplain, and there being no other nominations, a vote was taken by acclamation, which resulted in the election of Mr. Clare.

There being no votes in the negative.

The Speaker then appointed Fred Lounsberry, of Burleigh county, and Frank Armstrong, of Beadle county, Pages of the House.

The oath of office was then administered by the Honorable William H. Francis, Associate Justice of the Supreme Court of the Territory, to the following named officers, to-wit:

C. M. Reed, Chief Clerk of the House.
J. G. Hamilton, Assistant Clerk of the House.

Edward A. Smith, Assistant Enrolling and Engrossing Clerk.

M. Flick, Watchman.

Mr. Williams moved
That a committee of three be appointed to wait on the Governor, and inform His Excellency that the House was now permanently organized and ready for the transaction of business, and is prepared to receive any communication which he may be pleased to make.

Which motion prevailed.

Mr. Speaker appointed Messrs. Roach, Huntington and Langan as such committee.

Mr. Barnes moved
That the Chief Clerk inform the Council that the House of Representatives was now organized and ready for the transaction of business and receive any communications.

Which motion prevailed.

Mr. Van Osdel moved
That a committee of five on rules be appointed.

Which motion prevailed.

Mr. Speaker appointed Messrs. Williams, Johnson, Martin, Ward, Brule and Pugh, as such committee.
Mr. Williams moved
That the rules of the last session of the House and Council be adopted for the temporary government of the House.

Which motion prevailed.

Mr. Speaker moved.
That the committee on rules be instructed to add a rule providing for a committee on appropriations.
Which motion prevailed.

The following message from the City Council to the Governor, and by him transmitted to the House was received:

BISMARCK, January 13, 1885.

To the Hon. Gilbert A. Pierce, Governor of Dakota:

HONORED SIR:—The city of Bismarck, by its Mayor and Common Council, desire to manifest their great respect for the Governor and the Territorial officers and the law making power of the territory as embodied in the Territorial Council and House of Representatives. They also desire to extend to them a hearty welcome to our city and the new Capitol building prepared for their use. In accordance with this universal desire of our citizens, we respectfully tender Your Excellence and Staff, the officers of the Territory and both branches of the Legislature, a reception at the new Capitol building, on Wednesday evening, January 14, at 8 o'clock p. m. Sincerely hoping that this will meet with a favorable response.

I am with great respect sincerely yours

JOHN P. DUNN,
Mayor of the City of Bismarck.

Mr. Williams moved

That the House adjourn to meet to-morrow, at 10 o'clock a. m.

Which motion prevailed,

And the Speaker announced that the House stood adjourned.

SECOND DAY.

BISMARCK, Wednesday, January 14, 1885.

The House of Representatives assembled at 10 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Speaker Rice, and opened with prayer by the Chaplain.

Upon calling the roll, all the members answered to their names except Messrs. Coe, Hobart and Stong.

Messrs. Hobart and Stong reported present after roll call.

The Journal of proceedings of the preceding day was read, and after certain corrections, was approved.

Sergeant-at-Arms John A. Munroe and Messenger W. A. Carr were sworn in by the Speaker.

The Speaker called the order of business as prescribed by the rules, and duly declared business closed under each head.

Mr. Steele moved

That the Speaker appoint a doorkeeper for the gallery

Which motion prevailed.

The Speaker appointed Charles Simpson to the position of door-keeper for the gallery.

Mr. Barnes, by unanimous consent, moved the appointment of a committee of three, by the Speaker, to ascertain and report the cost of printing the Journal proceedings of each day.

Mr. Johnson moved as a substitute the following:

Resolved, That the Chief Clerk is hereby instructed to provide for the printing of 150 copies of the Journal, to be distributed among the members of the House and Council, and that the Sergeant-at-Arms be instructed to distribute the same every morning before the hour of meeting,

Which substitute was, after debate, withdrawn by the mover, and the original motion amended by Mr. Pickler, in providing that the Chief Clerk should be a member of the committee, was adopted.

Mr. Steele moved

That the committee, when appointed, ascertain the cost of printing 150, 250 and 500 copies of the Journal and report the same.

Which motion was adopted.

Mr. Blakemore moved

That the Speaker appoint a committee of three on Joint Rules.

Which motion was adopted.

And thereupon the Speaker appointed:

Messrs. Williams, Ward of Brule, and Martin, to serve as such committee.

The Speaker also appointed Messrs. Barnes, Steele and Johnson and the Chief Clerk as a committee to ascertain the cost of printing the Journal.

Mr. Martin then moved

That the Chief Clerk inform the Council that the House is ready at the present time to receive any communication from them, and is also ready to sit in Joint Session to receive the message of the Governor.

Which motion was, on a division of the House, ordered duly adopted.

Mr. Miller moved that

The committee appointed to wait on the Governor and Council, inform them that the House appoints the hour of 3 o'clock p. m. of this day as the time to meet in Joint Session to receive the message of the Governor.

Which motion prevailed.

Mr. Williams moved that

The committee to ~~wait~~ on the Governor be instructed to report forthwith.

Thereupon a roll call of the House was ordered, all the members responding to their names except

Messrs. Clark, Johnson. Langan, Roach and Smith, and the Sergeant-at-Arms was instructed to bring in all absent members.

On motion of Mr. Williams, further proceedings under the calling of the roll were suspended.

Mr. Pickler moved that

The Clerk immediately inform the Governor and Council that the House will be ready to sit in Joint Session to receive the message of the Governor at 3 o'clock p. m. this day, and that the committee appointed yesterday to wait upon the Governor, make the necessary arrangements for the same.

Which motion prevailed.

Mr. Steele thereupon introduced the following resolution which, after debate, was declared adopted:

Resolved, That the Secretary of the Territory be requested to furnish each member of this body with a copy of the Code and Session Laws forthwith, to be returned at the expiration of the session.

Mr. Southwick then moved

That the committee appointed to wait upon the Governor also invite the other officers of the Territory to meet with the House in Joint Session.

Which motion was amended on motion of Mr. Pickler, so as to provide that

The Speaker appoint a committee of three, of which Mr. Southwick should be chairman, to extend the invitation on behalf of the House to other Territorial and Federal officials.

Which amendment was adopted.

And

The motion as amended was adopted, and thereupon the Speaker appointed

Messrs. Southwick, Pickler and Smith to act as such committee.

Mr. Roach, as chairman of the committee to wait upon the Governor, reported that

The Governor and Council would be ready to meet the House in joint session at 12 o'clock noon of this day.

An informal recess of ten minutes was taken,

Whereupon the following message from the Council was received:

MESSAGE TO THE HOUSE.

BISMARCK, January 14, 1885.

MR. SPEAKER:

I have the honor to announce to your honorable body that the Council will be ready to meet with you in Joint Session to receive the Governor's message at 12 o'clock noon to-day.

W. G. EAKINS,
Assistant Chief Clerk Council.

Mr. Martin moved

A reconsideration of the motion fixing the hour of 3 o'clock p. m. as the time to meet in Joint Session and receive the Governor's message.

Which motion prevailed.

Mr. Williams moved

That the House meet the Council in Joint Session to receive the Governor's message.

Which motion prevailed.

An informal recess of the House was then ordered to arrange for the reception of the Governor and Council.

At the conclusion of which the Speaker called the House to order and

The Governor and Council of the Territory were announced.

The members of the House and Council met in Joint Session in the Hall of the House of Representatives at 12 o'clock noon.

The President of the Council, Mr. Westover, in the chair.

His Excellency, Gilbert A. Pierce, Governor of the Territory, presented and read the following message to both houses:

GOVERNOR'S MESSAGE.

Gentlemen of the Council and House of Representatives:

In accordance with a recognized custom I transmit herewith the reports of divers Territorial officers, accompanying their statement with such suggestions and recommendations as seem to me pertinent and timely. The Treasurer's report shows the finances of the Territory to be in a very satisfactory condition. The receipts and expenditures for 1883 and 1884 were as follows:

RECEIPTS FOR 1883.

Balance in Treasury Dec. 1, 1882	$ 43,463 90
From Counties	161,342 20
" Railroads, tax of 1882	77,603 61
" Tax on Telegraph companies, 1883	616 05
" Sale of laws	396 00
" Sale of bonds authorized for the building of various public institutions	214,417 71
Total	$ 497,839 47

DISBURSEMENTS, 1883.

From general fund	$ 122,108 78	
" Construction fund, various public institutions	115,715 48	
To counties, their proportion 1882 railroad tax	44,857 18	
Interest on bonds	6,060 96	
Exchange, etc	244 22	
Balance in Treasury Nov. 30, 1883	208,852 85	
Total		$497,839 47

RECEIPTS FOR 1884.

Balance in Treasury Dec. 1, 1883	$208,852 85
From Counties	214,031 04
" Railroads, tax of 1883	127,336 37
" Tax on Telegraph companies, 1884	738 90
" Tax on Insurance companies	10,102 23
" Sale of bonds authorized for the building of various public institutions	82,839 22
" Bond given to Territory by citizens of Grand Forks for construction University Observatory	2,997 00
" Auditor's warrants on general fund for credit public building construction accounts	2,659 05
" Sale of laws	1,207 00
Total	$650,763 66

DISBURSEMENTS, 1884.

From general fund	$ 156,907 04	
" Construction fund, various public institutions	176,995 80	
To counties, their proportion 1883 railroad tax	79,199 83	
Interest on bond	18,704 25	
Exchange, etc.	289 08	
Balance in Treasury Nov. 30, 1884	218,667 66	
Total		$650,763 66

The total indebtedness of the Territory is $392,500, divided into $100,000 in bonds bearing five per cent., and $292,500 in bonds bearing six per cent. These bonds are payable in 1901-2-3 and 4, or sooner, at the option of the Territory, the option beginning on $90,000 of the bonds after May 1, 1886.

TERRITORIAL AUDITOR.

The voluminous report of the Territorial Auditor shows the transactions in detail of his office for the two years ending November 30th, 1884. The total amount of the warrants issued by the Auditor for the biennial period is $572,996.04. Of this amount, $248,305.03 were expended for the construction of public buildings, leaving the current expenses of the Territory $324,691.01 for the two years, an average of $162,345.51 per year. The report shows one hundred and seventy-four insurance companies doing business in the Territory, of which all but three are outside corporations. The total premiums paid to these companies for the two years ending January 1, 1884, were $1,094,157,70. Total losses paid, $379,288.13, showing a gross profit to the companies of $714,869.51. The tax levied on companies under the law and paid to the Auditor, amounted to $10,102,23, and the fees from April 7, 1883, to November, 1884, $7,185.

THE PUBLIC SCHOOLS.

The report of the Superintendent of Public Instruction makes a very interesting and encouraging exhibit of the condition of the public schools in the Territory. There are eighty-five organized counties, but only sixty-five of these have made the returns required by law, the remainder being comparatively new. From the returns made the following facts and figures are gained:

Number of children Jan. 1, 1884, over seven and under twenty years	77,499
" enrolled in the public schools	50,031
Per cent. of attendance of those enrolled	65
Average cost for tuition per month for each pupil	$2 20

Total number of teachers employed	2,911
Number of male teachers	863
" of females	2,048
Average pay of teachers per month, males	$38 43
" " " " " females	$31 72
Number of schools graded	69
" " ungraded	1,930
Whole number of school houses	1,926
Sittings in school houses	69,560
School houses built during the year	722
Value of permanent school property	$1,689,658 00
Receipts by Treasurers of school corporations from April 1, 1883, to June 30, 1884	$1,603,562 99
Total expenditures	$1,306,878 72

This does not include sums paid to County Superintendents, expended for county and territorial institutes or for the erection of the University, Agricultural College or Normal School buildings. The grand total, including all expenditures for educational purposes by the Territory, (not private insitutions) is $1,786,676.99.

The Superintendent's report has been received too late for careful examination and consequently too late for any extended comment or recommendation, but enough has been gained by even a cursory reading to warrant me in saying that it deserves the careful examination of the Legislature. I particularly invite attention to that part of the report which discusses the question of amendment to the existing law, and also to the remarks of the Superintendent regarding the issue of school bonds and warrants

THE UNIVERSITY OF DAKOTA.

The report of the Regents of the University of Dakota is incorporated in the Superintendent's report and gives an exhibit of the expenditures in the building of the University and its maintenance for the past year. The Regents say: "In accordance with the purposes of the act creating this board, we have expended nearly $5,000 to complete the wing of the building which was partially built by Clay county. We have also erected and enclosed a main building, the walls of which are of Sioux Falls quartzyte and the trimmings of stone from Stone City. The extreme size of this building is 68 by 116 feet. It is three stories high, with tower 111 feet 6 inches high from the grade line. It is roofed with iron shingles. The Board have not had sufficient money to complete the second and third stories in the main building. They ask an appropriation for the ensuing biennial term; amounting in the aggregate to $59,450.

THE NORTH DAKOTA UNIVERSITY.

The report of the Regents of the North Dakota University is a clear and comprehensive statement of what has been done and what it is hoped to do for that institution. I have but just received the report,which, like others, has been unfortunately delayed, and must refer the Legislature to the document itself for details. The construction fund, appropriated by the last Legislature, will fall about $5,000 short of paying in full for the main building that has been erected. For other necessary buildings, heating apparatus, pay of president and professors, fuel and janitor's services, a further appropriation will be needed, the amount of which will have to be ascertained later. The building which is completed is 150 by 54 feet, three stories and a basement, and I am told is admirably adapted to its purpose. An observatory 22.9 by 28.5, with two wings 20.9 by 16.8 and 20.9 by 15.8 also has been constructed in fulfillment of the bond given to the Territory.

The Regents ask for a very large appropriation; not too large, perhaps, for the upbuilding of a university that will honor the Territory, but too large for the present scanty revenue at hand to meet it. The time will soon come, I hope and believe, when we will have ample means for such meritorious purposes. Till then our enthusiasm must be tempered by judgment, and what we would do, wait upon what we *can* do.

THE AGRICULTURAL COLLEGE.

The Trustees of the Agricultural College, at Brookings, are required under the law to report directly to the Legislature. I am informed that the Institution has opened under flattering auspices, and that its success can scarcely be doubted. A buildidg 68x80 feet, three stories and a basement in height, has been erected, which, when entirely finished, will accommodate three hundred pupils. Three of the rooms were finished and school opened in September last.

THE NORMAL SCHOOL.

No report has been received from the Normal School at Madison or Spearfish. The building of the Madison school is of frame, two stories high, 70x50 feet, with a side projection for entrance. The plan is to veneer the structure with brick. It will accommodate two hundred students in classes. There were fifty-four students in attendance last year.

The Spearfish school building is of brick, 45x30 feet, and two stories high. Three terms of the school have been held. The report of the Trustees was received but yesterday, but is transmitted herewith.

THE DEAF AND DUMB SCHOOL.

The Deaf Mute School, at Sioux Falls, has an attractive site, and the new building provided for by the last Lesislature has been completed and occupied. No communication whatever has been received from the governing board. It is 57x99 feet on the ground, and two stories and a basement in height. The material is Sioux Falls stone, with pressed brick trimmings. There is a present attendance of thirty-one, and the superintendent has the names of over eighty additional deaf mutes now residents of the Territory. The management suggest the desirability of constructing an additional building.

TERRITORIAL PENITENTIARIES.

The report of the Directors of the Southern Penitentiary, at Sioux Falls, shows the following receipts and expenditures:

Total receipts from Jan. 1, 1883, to Nov. 29, 1884	$ 87,547 00
Total expenditures for same period	86,598 70
Average number of prisoners for 1883	45
" " " " 1884	74
Average cost of maintenance for all persons per week (including officers) for 1883	$1.60
Average cost of maintenance for all persons per week (including officers) for 1884	1.30
Average cost of caring for prisoners per week, including all expenses except pay of officers, for 1883, per prisoner	3.00
Average cost per week per prisoner, for officers and guards, for 1883.	2.39
" " " " " " 1884.	2.06

The prisoners have performed 7,379¼ days labor in the quarry and construction of new buildings, and 5,570¼ days in and about the prison.

No complete report has yet been received from the Directors, and this vexatious delay renders it impossible to summarize many facts which might prove interesting and require comment. It seems that the prisoners have performed 7,379¼ days labor in the quarry and in the construction of new buildings, and 5,570¼ days in and about the prison. I am unable to say what this latter service consisted of; but taking it for granted that it was labor, which represents the earning capacity of the prisoners, if under a contract, there was a total of 12,949½ days work represented, from which an income may be estimated. It seems that the Directors have been offered .45 cents a day for the labor of prisoners, and at this rate the work performed during the past year would amount to $5,827.27. I am inclined to think the earnings of the prisoners in the quarries for the past year would amount to considerably more than this, but the Directors seem to think that this labor can not be profitably continued.

The total appropriation by the last Legislature for the Sioux Falls prison, for two years, excluding buildings, repairs and improvements, was $77,625.00.

The total amount expended for maintenance, officers, employes, fuel. medicine, clothing, etc., was $54,462.46.

The average number of prisoners for the two years being 59½, it will be seen that the total cost per prisoner per year was $477.48, and per week $9.18. The cost of keeping the prisoners at the Detroit House of Correction was $78 per year, or $1.50 per week, per man. The expense of transporting, however, was much greater, averaging about $466 per man, while to the present prison it averages but $101. With a small number of convicts a penitentiary is an expensive institution to maintain, and, though the time had come when the territory demanded a place of her own for the reception of prisoners, this expense is considerably greater than when they were sent to a neighboring state. The expenditure per capita will diminish of course as the number increases, and it does not appear even now that the cost is very much greater than in states east, having something like an equal number of convicts. Below give a comparison, approximately correct, between our prison and the state's prison of Vermont, which last year had 105 prisoners in her penitentiary (the number now at Sioux Falls).

Total cost of salaries and labor for two years in Vermont prison.....$	12,918	37
Total cost at Sioux Falls for two years, not including pay of directors or warden..	22,432	28
Total cost of maintenance of Vermont prison, for two years, not counting buildings, repairs and improvements........................	37,203	00
Total cost of Sioux Falls for two years, not including fuel, clothing or lights..	23,400	00
Total cost per week per inmate in Vermont........................	3	43
Average cost per inmate at Sioux Falls, as per directors' statement...	3	00

Cost per week per inmate, in Vermont, for salaries and labor	1 19
“ “ “ at Sioux Falls, for officers and guards	2 06
Average number of inmates to each person employed regularly in Vermont	7¼
Average number of inmates to each person enployed regularly at Sioux Falls	6¼
Average amount per year for four years paid Vermont as income from prison	$ 10,095 72
Estimated amount paid the territory by prison at Sioux Falls	5,827 00
Net cost per week per inmate in Vermont	1 57
Estimated cost per inmate per week, for ensuing two years at Sioux Falls	2 25

These are but hasty figures and based on insufficient data, but it is hoped that the complete report of the directors of the Sioux Falls penitentiary will show a full statement of all expenditures in detail, in order that a reliable comparison may be made with what is recognized as one of the most economical state institutions in the country.

The estimate of the directors of the southern penitentiary for the ensuing two years is in round numbers $68,800. This is for the ordinary running expenses of the prison, and is made on a basis of one hundred and thirty-five prisoners. No calculation is made for the earnings of prisoners. The estimate of the directors of the Bismarck prison, for the same purpose, is $56,652. This is based on an estimate of sixty prisoners and eighteen employes for two years. The directors of the latter prison also ask for an appropriation to make certain improvements amounting in all to $47,900. Some of these improvements, such as a workshop, heating and plumbing, temporary yard wall, sewerage, etc., are necessary to the occupation of the prison. The directors also submit a full report of their expenditures in constructing the prison, with such recommendations and suggestions as they have though necessary. The building seems to be well adapted to its purpose, and is a fair beginning to what will ultimately be made, no doubt, when the wants of the territory require it, a structure of harmonious design and finish.

The prison at Sioux Falls is of an imposing design, and would be regarded anywhere as an admirable structure for the purpose. The completion of the United States wing and the warden's residence adds much to the appearance of the structure and makes it altogether one of the most complete penitentiary buildings in the west. The whole edifice is capable of accommodating two hundred prisoners, but the possession of the wing constructed for the general government is still uncertain, The directors have been in correspondence with the attorney general of the United States with a view to assuming control of it, agreeing in return to care for all United States prisoners free of charge. What will be done, or whether under the law any contract of this character can be made is a matter of some doubt. The whole prison is capable of accommodating two hundred prisoners. If the United States wing can be controlled by the territory, the accommodations thus furnished together with those afforded by the Bismarck prison will in my judgment be sufficient for the necessities of the territory until the next meeting of the Legislature. It is important, however, that this question be settled and a careful estimate be made in order that the present legislature may make such preparations as appear necessary. It is probable that something definite will be known before the adjournment, when action can be taken.

ASYLUMS.

One building of the North Dakota Insane Asylum at Jamestown, provided for by the last Legislature, has been completed, and the report of the trustees is presented herewith. This asylum, which is designed on the modern cottage plan, can of course, be enlarged to any extent. The present building will accommodate fifty patients. The increase in the number of insane is very large. and although accommodations are already provided in the territory for two hundred and fifty, I fear that additional provision must be made to meet the necessities of the next two years. There are already fifty patients or more (the full capacity of the Jamestown building) in the institution at Yankton. The trustees of the Jamestown hospital ask for an appropriation for an additional building, and submit an estimate therefor. They also ask for an appropriation of $68,500 for the maintenance and improvement of the present hospital. This amount can be materially reduced in my judgment without seriously impairing the efficiency of the institution. The building, which has been erected, is a plain but neat and substantial structure, and is well adapted, I believe, to its purpose. It seems to have been erected also with fair regard to economy, but the land on which it stands has cost a much larger sum than was anticipated. The trustees make a full explanation of the matter in their report and the reasons which induced them to select the present site.

A very full and complete report is submitted by the Trustees of the "Dakota Hospital for the Insane" at Yankton, containing tables of much interest. The full capacity of the present building, including the wing which has lately been completed, is two hundred. It appears that one hundred and eight patients from South Dakota alone were admitted to the asylum in the past year, a gain of sixty-eight over the year previous. At the same rate of increase there will be two hundred and ninety-one patients in South Dakota at the end of two years. If the fifty belonging to the North are removed, there will remain room for ninety-seven at Yankton, which will of course furnish accommodations for a year yet. From a hasty examination, however, it would appear necessary as I have already stated, to make arrangements for enlarging both asylums by the close of 1886.

The Trustees of the Yankton asylum estimate that $28,000 will enable them to build the additional wing contemplated, while $15,000 will be required for furniture. If an appropriation for the building be made, I think the furnishing can await the action of a subsequent Legislature, as it would scarcely be necessary to have the wing ready for occupancy before the end of two years.

The full amount asked for by the Trustees is (with wing) $125,948.05—without wing, $92,188.05.

The present institution seems to have been managed with judgement and economy. The average cost of caring for patients has been but slightly over $2.22 per week per patient. At Rochester, Minn., the cost has been $3.44 per week, and at St. Peter, Minn., $3.54. I invite the close attention of the Legislature to the reports of both Boards of Trustees, which accompany this communication.

GRAIN AND WAREHOUSE COMMISSIONERS.

The report of this Board contains many facts that will be of service to the Legislature in considering the question of grain inspection and grading. An interesting appendix gives reports from various committees appointed by mass meetings of farmers held at various points in the territory, together with a number of interesting tables. In another place I have spoken of the Grain and Warehouse Board, and indicated what in my judgment, should be done to make it effective.

TERRITORIAL BOARDS.

I suggest that the law relating to the per diem of various officers connected with public institutions be made more explicit. It is desirable that the auditing officer should be free from all perplexity regarding the intention of the Legislature, and also from the responsibility of interpreting laws of doubtful meaning. It is also desirable that the meetings of the various boards should have some limit as to number, these meetings in some cases having been held so frequently as to suggest the fear that they have been held unnecessarily. The amount paid to the various boards for per diem and mileage since the last meeting of the Legislature, is over $20,000.

TERRITORIAL LIBRARY.

The library now belonging to the Territory comprises upwards of 7,000 volumes and is rapidly growing, a large number of law reports and works of reference being received each year. It is time suitable rooms were assigned to it and a librarian appointed who will arrange and care for the books and aid persons in securing such works as they wish to examine. Of course the whole time of such librarian will not be occupied, and this duty might be assigned in connection with other work, but the arrangement and care of the library should be the first object.

PUBLIC LANDS WITHIN RAILROAD LIMITS.

There is a widespread feeling in the northern part of the territory that the government lands lying along the Northern Pacific railroad, within what is known as the railroad limit, ought to be placed on the market at the regular government rate of $1. 25 per acre. Such action has been taken by Congress in other cases of reserved lands, and there seems no good reason why it should not be done in this. The government is not a speculator and railroads are not built to enhance the public revenue, but to open up the country to settlement and cultivation. The Legislature will be asked to take some action, by memorial or otherwise, regarding this question, and I cordially commend the object to your favorable consideration.

EXAMINATION OF PRIVATE BANKS.

Up to July, 1883, the private banks of the territory had to make returns to the United States Collector and were subject to examination as often as the officials thought necessary. Since these reports ceased, there has been no way of determining the standing or condition of private institutions of this kind, our own laws making no provision therefor. I call the attention of the Legislature to the matter, both in the interest of sound and reliable houses of this kind, who will esteem it an advantage to have their condition known, and in the interest of the people at large, to whom such knowledge would prove a protection.

SCHOOL OF MINES.

It has long been thought that our educational system should be supplemented by a School of Mines, to be established in the great mineral regions of the Black Hills. The industry which contributes from eight to ten millions annually to the precious metals of the country is worthy of development, and deserves your fostering care and encouragement. I am not prepared to recommend a definite plan, and any action that may be taken must, for various reasons, be initial merely; but if a beginning can be made and a school or a department in some existing institution established, which shall finally grow into magnitude and importance, the welfare of the whole Territory will be advanced.

I have been requested also to call the attention of the Legislature to the advisibility of providing for a Territor-Geologist, it being deemed important to begin the work of a geological survey.

AMENDING INCORPORATION LAWS.

It has been represented to me by certain persons of standing and prominence in the Territory that the general incorportion laws of Dakota do not entirely cover the organization of street railway lines to be run under the sanction of city governments. It is thought that a number of such companies may desire to perfect organization soon, and I suggest an examination of this question, with a view to such legislation as may cover the case, and which will carefully keep inside the powers granted by the organic act. It may not be improper to add that the experience of communities East shows a necessity for prudence in framing laws upon this subject, and that an abundance of safeguards for the protection of the citizens against imposition and extortion will be wise and timely.

AMENDMENT OF INSURANCE LAWS.

The Insurance laws of the Territory should be amended. Section 23 of said law requires a deposit on the part of foreign insurance companies of twenty-five thousand dollars with the Territorial Treasurer before any business is transacted. I understand that the insurance companies very generally concluded to abandon the Dakota field when this law was enacted, refrained from doing so when section 46, which seems to apply only to Boiler and Accident insurance companies, and which permits the twenty-five thousand dollar deposit to be made in the State where the company is organized, was interpreted by the Auditor to apply to all companies, fire and accident alike. This interpretation may seem strained, but examination will show the meaning to be samewhat ambiguous and it is quite possible that a rigorous adhesion to the provision of section 23 would have resulted in the hegira of companies doing business here and proved extremely annoying, if not disastrous to the property interest of the Territory. One company, acting under the advice of counsel who thought it would be liable to the penalties prescribed, notwithstanding the interpretation of the Auditor, retired from the field, and still remains outside. They say, "Having endeavored to honestly obey the law we think we are entitled to protection. If the law means nothing it should be repealed, so that companies disposed to respect the acts of your Legislature will not be debarred by conscientious scruples from doing business in Dakota." Finding this state of affairs existing upon my arrival in the Territory I did not try to secure any change, the interests of the people seeming to point to a continuation of the interpretation of the Auditor until the Legislature assembled. It is of course important that this condition of affairs should not continue longer than is absolutely necessary, and the law, if not radically changed, should be amended so as to admit of no doubt of its meaning.

THE CAPITOL BUILDING.

The Commission appointed by the last Legislature notified me on the 16th of November last that the Capitol Building provided for by the act of the Legislature was ready for occupancy, and in obedience to the requirements of the law I issued a proclamation reciting that fact. Under the terms of the law the Commission is required to report directly to the Legislature. A few facts and suggestions, however, may be given here.

The Commission report the total cost of the present building, exclusive of the pay of the architect, the Commissioners, etc., to be $145,000. They have received from the sale of lots $38,000. The whole number of lots belonging to the fund was originally 1,009, appraised at $123,415. Seven hundred and fifty of these lots remain unsold, beside 160 acres of land adjoining the townsite south of the city. I am informed that the Commission owe on the building, and for divers services performed, about $20,000. This does not include the heating and furnishing, which the citizens of Bismarck do not regard as coming within their contract to erect a Capitol building. The appraisement of the real estate, conveyed to the Territory by the city of Bismarck, was made at a time when property values were high. When the times became less prosperous this property would not sell at the price fixed by the Commission; and as there was no authority of law for a revaluation or selling at a figure below the minimum appraisement, the Commission found themselves embarrassed for lack of funds, hence the debt of $20,000 alluded to.

I advised the commission to issue warrants on the Building Fund for this amount, but there being no balance in this fund, of course the creditors must wait. The real estate named is the property of the Territory. It was intended to be disposed of to pay for the erection of this building. The fact that it has depreciated in value is a misfortune, but it does not alter the obligation entered into to pay the men who contributed time and material toward the structure and to pay them promptly. I am told that some of this amount is due to laborers who depend on their daily earnings to support their families. It may involve a sacrifice to sell the property now, and some of the creditors may feel disposed to wait, but they should not be compelled to do this under protest. They did their work in good faith. They knew only the single fact that a legislature of the Territory had authorized the work, and relying upon this authority they went forward. The act of one legislature may be overturned by a subsequent one, but the faith and credit and reliance that the outside world place in the law-making power should not be shaken by any failure to comply with contracts honestly performed under the color of law and under the direction of those chosen to administer it. I recommend therefore that the legislature confer upon the present or any future commission that may be appointed, the power to re-appraise and sell the lands remaining to the Capitol Commission, and pay their debt. As I have said, the heating apparatus is not included in the debt of $20,000. The steam, of course, takes the place of stoves, except that so large a structure could scarcely be made comfortable with the latter. The property remaining unsold ought to be amply sufficient, and will be, I doubt not, under proper management, to pay all the debts including the expense of lighting, heating and furnishing. Such expenses, however, as properly belong to the Territory should be liquidated by the legislature with the provision, if thought best, that the amount be charged to the Building Fund and paid out of the future sales of real estate. I take occasion to say here that the lights and furniture placed in the Capitol are not furnished under any contract or stipulation, but are here simply for the inspection of the legislature and for their use if they wish to secure them. So far as I know, no assurances of purchase have been given to the firms that have undertaken the work, and the legislature can consider the subject without the slightest embarrassment growing out of any promises, though I hope with perfect justice and fairness. I may say further, because the subject has been discussed somewhat in the newspapers, that I understand this building to be the free gift of the people of Bismarck to the Territory. I have accepted this assurance in good faith and with no thought of any mental reservations or evasions. I am sure the thought of asking for any return of the money expended has not entered the minds of the donors, and that no scheme or device for such return is contemplated; and I hope, I need scarcely assure this legislature and the people of the Territory, that, relying on the terms of the law, under which this work was undertaken, no measure for repayment will meet with the approval of the Executive while I occupy the office and Bismarck remains the Capital.

PARDONS.

I have granted two pardons. On the 23d of December I pardoned William Decker and Joseph Young, who were convicted of "robbery by two or more persons," and on the 21st of April, 1880, were sentenced to imprisonment for life. I was impelled to do this by the fact that the men had served nearly five years, that their conduct had been good, that the amount was small, but $53, that the principal offender escaped by turning state's evidence, that the presiding judge at the trial, the district attorney, the sheriff, clerk of court, all the jurymen who could be found, the present district attorney, county commissioners, and many prominent citizens of Burleigh county, where the men were convicted, joined in a request for their release.

The following pardons were granted under the administration of my predecessor, as appears from the records of this office, the list being furnished in obedience to the requirements:

Name.	Crime.	Sentenced.	Term.	Pardoned.
John Bennett	Grand Larceny	April 2, 1882	1 year	Jan. 27, 1882
Jacob Jchauk	" "	Dec. 15, 1880	18 months	Feb. 7, 1882
Martin L. Couk	Murder	Oct. 1880	Death	Feb. 11, 1882
Jas. C. Lee	Grand Larceny	Sept. 1880	3 years	April 24, 1882
Chas. E. Stone	Forgery	Jan. 10, 1880	5 years	May 1882
M. Dittenhoffer	Assault with int kill	March, 1882	3 years	Aug. 24, 1882
L. H. Stone	Forgery	Jan. 1882	Sentence susp.	Aug. 21, 1882
N. Gague	Grand Larceny	Dec. 30, 1881	28 months	Aug. 22, 1882
J. L. Gilmore	Murder	Aug. 1881	Death	Res. Aug 25, '82
Brave Bear	"	Nov. 1881	"	" Sept. 1882
J. L. Gilmore	"	Aug. 1881	"	" Nov. 6, '82
" "	"	Aug. 1881	"	" Nov. 15, '82
" "	"	Aug. 1881	"	" Dec. 14, '82
A. V. Corson	Man slaughter	Aug. 1877	7 years	Nov. 23, 1882
N. B. Ford	" "	Jan. 1879	15½ years	....
E. Durham	" "	June 1878	21 years	Oct. 1882
S. Kleinsaser	Aid escape prisoner	Sept. 1881	4 years	Dec. 29, 1883
Jas. Johnson	Embezzlement	Nov. 1881	14 months	Jan. 19, 1883
Peter T. Sbuya	Grand Larceny	July 1883	4 years	June 1884
Jay Hall	Embezzlement	June 1884	4 years	June 1884
D. Brazzill	Robbery	March 1882	5 years	July 22, 1884

THE NEW ORLEANS EXPOSITION.

Almost the first matter that required my attention after assuming the duties of the Governor's office was the question of representation at the New Orleans Exposition. It seemed very difficult to go into the exhibit and equally embarrassing to stay out. Every state and territory in the Union was to make a display more or less elaborate, and for Dakota to attempt to compete without making a show commensurate with her importance appeared as undesirable as to make none at all. On the other hand there was no appropriation available, times were hard, money scarce and a general disposition to economize as much as possible. Finally a circular letter was issued from the executive office recounting the facts and asking the various counties of the Territory to contribute in their discretion a sum which in the aggregate would enable the commission to make a creditable display. The circular letter was issued in time to permit the question to be submitted to a vote of the people of the various counties, should the commissioners deem such submission advisable or necessary. The boards which acted upon the matter decided generally, I believe, without referring it to a vote, and in many cases where the decision was against the appropriation or there was doubt as to the power of the county board to pass the matter, contributions were made through the enterprise of private parties who guaranteed notes in amount proportionate to the allotment of their respective counties. With this guarantee and the amount allowed the territory by the managers of the Exposition, work went forward. Relying somewhat on the fact that the Legislature of 1882 appropriated $20,000 for the proposed World's Fair in New York. which appropriation was never drawn owing to the failure of the contemplated exhibition, and strongly impressed with the importance of Dakota being represented at New Orleans, I approved the plan and lent it such encouragement as was in my power. The result is a display which I am informed is at least fully equal to that of any territory. and which is surpassed by few if any of the states. It is but fair to credit whatever of success has been achieved in this direction to the untiring energy and patience of Commissioner McKenzie and his able assistants, Messrs. Melvin Grigsby, of Sioux Falls, and R. E. Fleming, of Fargo. who have worked faithfully, continuously and under many discouraging circumstances to perfect this display. The details of what has been done and the expense incurred will be presented in a report of the commissioner to be transmitted later. He thinks that an appropriation of $25,000 would enable him to enlarge and perfect the display until it would not be surpassed by anything at the exposition. The expense of collecting and transporting the large amount of material has been great, and I do not doubt but that the amount named would increase the attractiveness of the exhibit, but it is already of a character to reflect credit on the territory, and I am unwilling to recommend more than was set apart for this purpose by the Legislature two years ago. I hope, however, that the amount of $20,000, or so much thereof as may be necessary, will be appropriated, a full report of all expenditures to be made to the Legislature, and if it is found impossible to completely close the accounts before the adjournment of the present body, to a subsequent Legislature. The Hon. W. H. McVay, territorial treasurer, and A. R. Brown, Esq., of Canton, were designated by me to act temporarily in conjunction with the commissioner appointed by the president as a board of control and audit. It would be well now for the Legislature to provide for such officials as may be deemed advisable who shall serve until the close of the exposition and the final settlement of all accounts.

A pamphlet has been prepared for distribution at the exposition and elsewhere, 50,000 copies of which will soon be issued. The book is far from complete or satisfactory but it will enable the various officers of the Territory to respond in some degree to the many calls made upon them for information and will thus answer until something better is at hand.

GRAIN AND RAILWAY COMMISSION AND AGRICULTURAL AND IMMIGRATION AGENT.

The territory needs an effective grain and railway commission; it needs an agent of immigration, and it needs an agricultural bureau. The grain commission provided for by the last Legislature amounts to very little practically, not because the agents appointed to that board have not been willing or competent, but because they are provided with no adequate means to carry out the necessary improvements. The question of securing a fair grading of grain, and reasonable facilities for transporting it to market, is one of much moment, and one beset with many difficulties. The matter has been widely discussed, and has no doubt secured the careful consideration of many members of the legislature who will have measures of relief to propose. I need not dwell on the importance of a change in the present condition of affairs. Such a change has become an absolute necessity to the growth and continuance of an agricultural industry. I am glad to learn that the legislature of Minnesota is disposed to co-operate with the legislative department of this territory in an effort to devise means for the relief of the people of both sections, and I hope committees of conference may be appointed by the two bodies, and that their deliberations will bear satisfactory results. If our present grain commission, reorganized and clothed with larger powers, can be of service in this connection you will doubtless see fit to continue it. As constituted under the present law, however, it might as well be abolished. The advantage of having an agricultural agent for the Territory is apparent. Dakota is preeminently an agricultural region. No body of men is more fairly entitled to representation in the territorial government than the farmers and stock-raisers. Information regarding the condition of the crops, the acreage, aggregate and average yield, experiments with various seeds, success with diverse crops and manner of cultivation, and many other matters upon which it is desirable to have full information are now unobtainable in anything like a reliable form. Experience with crops in other states, even those immediately adjoining us, is in many instances partially or wholly inapplicable here. The country and the conditions are new. Success with any given crop in the Territory, cultivated in a given way or with some new variety of grain is a matter of great importance to the importance to the farmers of the Territory, and all information on this subject ought to be speedily gathered and widely disseminated. I earnestly hope that provision will be made for the appointment of such an agent, and that whatever appropriation is needed to make a bureau of this character effective and of signal service to the farming interests, will be promptly furnished.

The states about us have commissioners of immigration and find them profitable adjuncts to the state governments. There is certainly as much, and it seems to me more room and reason for the employment of such an agent in Dakota, than in any of the neighboring states. The creation of three boards to look after the three interests named seems hardly justifiable and scarcely necessary. But it has occurred to me that the three departments, so closely allied, might be united under one effective board through which the entire business could be transacted. If these three interested can be grouped together, each with a member especially adapted to one of the departments named, acting separately in their collection of data, etc., but together in their final action on questions of moment, it might prove to be an economical as well as practical arrangement.

I believe that it is the experience that one board properly constituted, with business enough before it to keep its members employed and fairly paid for its services, will accomplish more than half a dozen, assembled at long intervals, possessing little authority and handicapped by the fact that their own private business must suffer while they give their time to the public, practically without compensation.

Difficulties may be found in the way of practical application of this suggestion, and I shall only be too glad to have a better way pointed out to gain the end in view.

ORGANIZING COUNTIES.

The organization of new counties is beset with many difficulties. I believe that many of these difficulties can be avoided by an intelligent amendment of the law. When fifty voters petition for the organization of a new county the Governor is required to appoint Commissioners. The number is too small. At least one hundred ought to be required. Again, if there is any valid reason why voters in a new county should not choose their own Commissioners, decide upon their own county seat, and generally enjoy the privileges, and responsibilities of their fellow citizens in other counties, I do not know what that reason is. Surely there is nothing in the organic law to prevent. If provision were made authorizing a special election to be called on the petition of one hundred persons possessing the qualification of voters, and surround such special election with safeguards to insure a fair vote and an honest count, I believe the interests of all parties would be served. At any rate the present law demands some rational amendment. It is simply impossible for the Executive to avoid committing frequent mistakes, and he is liable to commit grave errors under the statute as it now stands. I have appointed commissioners for but two counties since my term of office began. These are McIntosh and Buffalo, the latter with much doubt as to the wisdom of organization. The statute leaves the Governor no discretion, however, when satisfied that fifty of those petitioning are voters. I have required sworn evidence that those asking for organization possessed the qualification of electors; but it still follows that fifty persons may secure the organization of a county if the law is obeyed, though one hundred and fifty persons in the same county protest against it. It is desirable that new counties be organized as fast as they possess the necessary population, but the minimum number now required should be doubled at least. Various difficulties and complications exist in some counties organized in the past year or two. In certain cases the people complain that the commissioners have not done their duty, and these cases demand attention and such remedy at your hands as can be applied and which seems advisable. In some of these cases I presume justice would be advanced by undoing the work of organization, if the power exists, and taking the task of reorganization into your own hands.

A number of local quarrels, growing out of the permanent location of county seats, have arisen, and in two instances I have been called upon for assistance to protect the officers of the law in the discharge of their duty.

THE TROUBLE IN SPINK COUNTY.

On the 10th of December I received a dispatch from the Mayor of Redfield, Dak., announcing that the county records of Spink county were in the hands of the Sheriff, and all persons had been enjoined by the Judge of the District Court from removing the same; that Redfield had been besieged by an armed mob of five hundred men and was in great danger of being burned and all the public records destroyed, and he asked that assistance might be given.

The statutes of the Territory require the Governor to furnish aid when required to suppress riots or disorders. Section 6, of the Militia Laws, authorizes him to order out such force as may be necessary, while section 46, of the act relating to riots, declares as follows: "If it appears to the Governor that the power of the county is not sufficient to enable the Sheriff to execute process delivered to him, to suppress riots or to preserve the peace, he must, on application of the Sheriff or Judge, order such a force from other county or counties as is necessary." Section 47 declares that under the facts and circumstances mentioned in the last section, and when the civil power of the county is not deemed sufficient, it shall be the duty of the Governor to apply to the military authorities of the United States for a force sufficient to execute the laws and prevent resistance thereto, to suppress riots, execute process and to preserve the peace. These sections seem to be slightly inconsistent, but taken together they appear to require the Governor so call upon the United States authorities only after exhausting the power of the county or counties. Inasmuch, however, as the militia of the Territory were newly organized and had not yet been furnished with ammunition and supplies, and there was some doubt as to their ability to move promptly, I took the precaution to ask the General Commanding the Department of Dakota if he could send a company of regulars to Redfield. At the same time I directed Col. N. N. Tyner, of the Governor's staff to notify the militia at Fargo to hold themslves in readiness to proceed to the scene of disturbance, and sent a like order to the Governor's Guards, Bismarck, and the

Edgerton Guards, Yankton. In reference to my call upon General Terry, I received a reply saying that my inquiry had been telegraphed to the Headquarters Division of Missouri for instructions, and that the answer would be sent as soon received. Meantime, I sent to the Mayor of Ashton, Spink county, whose citizens were reported to be much excited, the following dispatch: "Will not the citizens of Ashton retire to their homes and permit the law to take its course? It is much better so. Please give me this assurance."

I also asked the Mayor of Redfield to telegraph the exact situation. After waiting six hours and receiving no reply to those telegrams and no further answers to my calls upon General Terry, I directed the Fargo companies to take a train for Redfield. The next day, the 11th, I received a telgram from the Mayor of Ashton declaring the people of that city were not armed and had not been, and though indignant over the removal of the records, contemplated no hostile movement. I also received word from Redfield that all was quiet, though an attack was momentarily expected. I view of all the facts I ordered Col. Tyner and his command to halt at Ortonville and sent the following to the Mayor of Redfield: "I am assured by the Mayor of Ashton that the people of that place are not armed and have not been, and that they contemplate no act of lawlessness. Unless I receive further demands from yourself and the sheriff, I shall stop the troops now en route and direct them to return home in the morning."

In answer to this I received the following: "We believe that the only sure way to prevent the loss of life is to send troops at once. We are receiving reports from reliable sources that the excitement is increasing hourly. The troops will hurt no one and may prevent bloodshed.

[Signed] "D. H. HUNT, Mayor.
"ARTHUR LAWRENCE, Sheriff."

Upon this renewed appeal I directed Col. Tyner to proceed and report to the sheriff at Redfield. Believing that the militia thus sent would prove sufficient, and ascertaining that I could promptly re-inforce them, I also telegraphed Gen. Terry that no regulars would be required. Later in the day I received a telegram from Adjutant General Breck, saying that General Terry, temporarily absent from Department Headquarters, instructed him to say that he could not furnish troops.

Inasmuch as the prompt movement of the militia seemed to obviate all necessity for calling further upon the federal authorities, and as I had already recalled my first application, or inquiry, I did not pursue the matter. The companies arrived in Redfield Saturday evening and remained there until a settlement was effected under the order of the court Monday noon. I have heard nothing but praise of their conduct and the impartiality of their bearing is evidenced by the fact that while in the city of Redfield the citizens thanked them, and the citizens of Ashton tendered them special hospitalities on the eve of their departure home.

It is very difficult to know what to do under calls like that received. The Governor must depend for information as to the emergency upon those more or less excited and who are apt to inadvertently magnify the danger, and may therefore take steps which the sequel proves to have been unnecessary. On the other hand to leave such a call unheeded would be to assume a grave and perhaps unjustifiable responsibility and render him liable to deserved censure should loss of life and property result from his neglect, when the danger appeared imminent. In any case I could scarcely have refused assistance in view of the reports which reached me from unofficial sources and the call made upon me by duly constituted officials. I feel some measure of pride that the necessary force was furnished without aid from the general government, and that even had the emergency been much greater the organized militia of the Territory would have proven sufficient. The bills incurred on this expedition will be presented to you and I respectfully ask that an appropriation be made to cover the expense, and that the Auditor be instructed to draw his warrant for the payment of such demands as appear just and reasonable. The men composing the Fargo militia are persons engaged in business and could only leave their homes at a pecuniary sacrifice. I trust the Legislature will see the justice of paying the officers and men for the time necessarily spent on the expedition. I transmit in this connection the names of those serving, the report of Col. Tyner in charge of the detachment, and a full record of the correspondence relative to the affair. Perhaps the general government, in view of the fact that Territories are hardly expected to take care of themselves, may feel disposed to assume these obligations and relieve the Legislature.

THE ROBERTS COUNTY TROUBLE.

Hardly had the militia returned home when a difficulty of the same general character arose in Roberts county. I received pressing calls for assistance, but believing the danger magnified I declined to incur the expense necessary to the sending of troops until first satisfied that the "power of the county" was insufficient to maintain order. I requested Adjutant-General Free, however, to proceed to Travare and Wilmot, the rival towns, and while ascertaining the necessity, if any. for assistance, to use his best efforts to preserve the peace and secure a quiet settlement of the question in dispute. As a result the sheriff's posse and those confronting or defying it were disbanded, and quiet has since been maintained. The origin of these quarrels, or the manner in which they shall be determined, are questions which do not come before me for judgment; but it may not be uninteresting, in case the Legislature desire to investigate the matter, to read the report of the Adjutant General, which is herewith transmitted. The correspondence in the case will also be found with General Free's report.

It is unnecessary for me to say to the Legislature that in the organization of so many new counties such outbreaks as these are liable, and even likely to occur frequently unless decided measures are taken to put a stop to them. The trouble in almost every instance grows out of the rivalry of two or more towns, each of which is determined to become the county seat. The passions of men are aroused, they involve a county in debt, excite animosities that will long outlive the trouble which inspired them, and finally lead to acts of lawlessness which disgrace the Territory and lay the promoters and participants liable to indictment for felony. The law is stringent enough. Its energetic and even merciless enforcement in one or two cases as an example is what seems to be required. Men must be taught that it is not an ordinary crime to break down the doors of buildings wherein the public records are stored and plunder the safes of county officers. It might seem severe to enforce such a penalty against men provoked by great aggravation to a forcible removal of public property and I appreciate fully the circumstances under which these disturbances have arisen, but severity is needed to put a stop to what has grown to be a dangerous defiance of law, and to what, if longer tolerated, will assume dimensions difficult to curb or manage. It is better that a majority of voters in a county should wait even the slowest action of the courts, than that the law should be defied and the official records endangered. Not alone the county engaging in these unfortunate quarrels, but the whole people of the Territory suffer because of the lawlessness of the few. The community must look to the courts for protection, of course, but I wish to declare emphatically that whatever measure of duty falls to my lot in the suppression of these scandalous outbreaks, will be performed as promptly and decisively as is consistent with that care and circumspection required of the Executive.

In the report of Colonel Tyner, the propriety and justice of assessing the cost of suppressing these riotous demonstrations against the counties permitting them is discussed.

After careful reflection I am disposed to submit this question to the Legislature without recommendation. It is certainly unjust to ask the law-abiding people of the Territory to pay for the wrong doing of less peaceful citizens, and it is quite likely that the lesson given by the imposition of such a tax would prove salutary, and act in a measure as a prevention of future outbreaks. The levying of such a tax, however, will form an important precedent. It is one that must be followed in subsequent cases of disturbance, no matter what the facts or inciting causes, or otherwise charges of partiality will follow. I am not entirely clear as to the power to levy such a tax, and have not had opportunity to make sufficient inquiry on this point. For these reasons I prefer to leave the question to such careful consideration as the Legislature may give it, satisfied that the conclusions arrived at will be wise and prudent.

THE MILITIA.

In this connection I wish to call the attention of the Legislature to the militia laws of the Territory which require amendment to make them effective and thoroughly practicable.

The law requires the Adjutant General to perform various duties, to keep extensive records and forward certain returns to Washington. He is the only person in any way authorized to act as the custodian of arms and accoutrements, and this authority is limited and is to be gained by inference rather than by direct grant. It is not necessary in my judgment to devise any elaborate plan for militia organization or to incur any considerable expense in the maintenance of military companies, but we cannot ask the Adjutant General to contribute of his private means as well as of his time, to carry out the requirements of the law. I therefore recommend that there be appropriated for the expenses of this office $1,000 annually. This sum to cover the necessary expense of traveling, storing and caring for arms and accoutrements, procuring and keeping the necessary records and blanks, and for such other expenses as properly and legitimately belong to his office. There are several boxes of arms at Sioux Falls, sent to the Adjutant General by my predecessor and for which the former had to secure storage. He finally succeeded in obtaining a room in the Penitentiary which was not immediately required for prison purposes, where they remain for the time being. For several reasons it is not a proper place to keep them, even if the room was not needed for prison purposes, which it soon will be. I also recommend that a small sum be appropriated for uniforms and for the rental of armories for each of the various volunteer companies regularly mustered into the Territorial militia. Even if this appropriation be but a fraction of the expense incurred by such companies, it will be a recognition and will relieve them in some degree from what is now a considerable burden. It should be remembered that under the law every able-bodied citizen of the Territory, between the ages of eighteen and forty-five, is required to be enrolled in the militia and that all such persons are subject to call in case the volunteer companies are insufficient to meet an emergency. Organized and active militia therefore are not only convenient in case of trouble but they save other citizens from the annoyance of a demand upon their time and services and are a protection to those subject to call as well as to those threatened with disturbances.

The law also provides for an annual brigade muster and encampment of all the volunteer militia of the Territory, continuing not less than two nor more than four days. Unless some provision be made for the transportation and subsistence of such companies, it is obvious that the law must remain unexecuted. I leave the question of what should be done under these circumstances to the discretion of the Legislature.

There are six companies in the Territory that have been mustered into the service for two years. There are several more organized, one or two of which are uniformed and equipped. The others are awaiting arms and muster.

The guns at present in use by our militia were secured by my predecessor from the War Department, he giving, as I understand, his personal bond for their safe keeping and return when demanded. I ask the Legislature to authorize the Governor to execute a bond in the name of the Territory, for such arms and any others which it may be necessary to secure, requiring him in turn to take a good and sufficient bond from each company to whom such arms shall be issued.

THE QUESTION OF ADMISSION AND DIVISION.

I suggest that steps should be taken by the present Legislature to acquaint Congress, through a memorial or otherwise, with the true sentiment of the Territory regarding admission and division. The members of the General Assembly are fresh from the people. Nothing except the individual expression of the people themselves at the polls could be so reliably indicative of their sentiments and desires, as the public expression of their chosen representatives. The very wide attention which the subject of admission and division is attracting, and the fact that it has been deemed of sufficient importance for comment in the message of the Governor of the neighboring state of Minnesota, who alludes with great kindness to the merits and desires of the people of the Territory, induces me to refer to the question in this communication.

The Territory either as a whole or divided is populous enough, even if the maximum of population hitherto required is demanded, for the formation of a state government or governments. Of course if precedents are to be ignored and new conditions attached to Dakota we may not only be unable to get into the Union now, but may remain out indefinitely. But I believe, that with a full knowledge of our population, resources and development, Congress will at least afford the Territory an opportunity of joining the sisterhood of states. Whether an offer of this character, which contemplated admission without division would be accepted by the people is not for me to declare.

I do declare this, however, that it is more important that Territories be divided as their people desire than that their boundaries should be fixed by strangers who are liable to misunderstand their necessities. A happy Union is made up of willing members, and contented communities make prosperous states. But nothing could be more entirely conclusive as to the desires of the people of Dakota than an opportunity to vote upon the question of admission in any form that Congress may submit it. Whether they accept or reject the proposition, the opportunity to do the one or the other should be afforded them. It is easier to decline an honor than to accept a wrong.

There were 86,703 votes cast in the Territory at the recent election. There are one hundred and thirty counties in the Territory, but only seventy-eight were organized in time to hold an election in November. That the number of persons in Dakota possessing the qualification of voters aggregate one hundred thousand will be disputed by no one, I think, familiar with the facts. That these voters are not transient persons is evidenced, first, by the fact that nine months' residence is required under our laws as a qualification of suffrage, and by the further fact that the returns made under the law by the school officers to the Superintendent of Public Instruction show that in sixty-five counties out of the eighty-five organized (all that have furnished census returns) there were on the first day of June, 1884, 77,499 children of school age (seven to twenty years).

The presence of the family proclaims the absence of the adventurer.

The assessed value of property for the year 1884 is over eighty-four millions of dollars, and the receipts of the treasurer of school corporations alone amount to over $1,600,000. The total expenditures of the whole Territory for educational purposes, beginning April 1, 1883, and ending June 30, 1884, were nearly $2,000,000.

I might make comparisons which would exhibit the Territory in a most favorable light beside many old and well settled states, but this need not be done. The one fact that so large a sum was expended for common schools dispels the notion that the population of this Territory is in any manner fictitious or that the country is not peopled by honest voters who abide in honest homes.

That there were illegal votes cast here and there in the Territory is very likely, but though party lines were not drawn to any extent in choosing local officers, nearly every county and district passed though an exciting contest where the qualifications of voters were as closely scrutinized as in the older states east. It is a well known fact also, that there is no such opportunity for fraudulent voting in sparsely settled country places where every man is known to his neighbors as in the large cities where strangers come and go unnoticed. Any surmise, therefore, that the vote cast in Dakota was to any extended degree fictitious is entirely erroneous.

The citizens of Dakota have as deep an interest in the government of the country as the citizens of the states. The same laws govern them and the same taxes are imposed upon them. They would be voters if they resided there—were voters before they emigrated to the west. It is difficult to see why they were qualified to take part in the affairs of the nation while living in New Hampshire, Delaware or Vermont, but became unfit to be trusted with this responsibility the moment they crossed the line which bounds Dakota.

If the 146,000 people of Delaware, the 346,000 of New Hampshire. or the 332,000 of Vermont were to remove in a body to Dakota, would it seem fair to deprive them of all lot or part in the management of public affairs? But what is the difference between this and the disfranchisement of men from all these states and many others who go to make up the population of the Territory?

The disqualification does not come from lack of numbers because our population is numerically greater than either of the states named.

It does not come from lack of property qualification, for that test of citizenship is not required, and if it were, would be fulfilled.

It does not come from the existence in our statutes of any enactment at war with republican government or offensive to an enlightened Christian sentiment, for our code is free from such blemishes, and exists and is in force by the approval of Congress.

It does not come from lack of educational privileges for the territory stands in advance of twenty-five of the states in the amount it has contributed in the last year for public schools.

What then is our disqualification? It cannot be that suffrage is to be considered a privilege of longitude and yet wherein do we show any lack except a geographical shortcoming.

The ordinance of 1787 provided that territories should be admitted as states when the population reached 60,000, and might be admitted with less; and although Dakota is not a part of the Northwest territory therein described, yet the Congress has applied its wise and patriotic provisions to the region afterward acquired, and has recognized the vast region which is now the West, as coming under that salutary and benificent enactment. We have six times the population as a maximum number necessary to admission. We have 2,000 schools and a half-dozen higher institutions of learning. We have permanent and costly structures erected for benevolent and penal purposes, and all built by the territory without the aid of the general government.

It is the policy of the nation to encourage the settlement and development of the public domain. Generous laws have been enacted and many inducements given to open this wide region to civilization. I submit that this liberality of the general government in granting free homes ought not to be defeated by an illiberal exclusion of those privileges of self-government which like many others grow dearer when they are denied.

With all this it is not wise to look upon admission as the *ultima thule*, the open gateway to everything desirable. We are liable to magnify the advantages of admission as well as the disadvantages of exclusion.

The machinery of a state government is expensive and for this reason the sentiment that a territory should be fully prepared for statehood before admission is one to be commended. The territorial tax of Dakota is light and its general expenses do not approach those of neighboring states of about the same and smaller population. For the two years ending November 30, 1884, the expenditures of the territory, including interest on public debt were but $597,025.61 and over $292,701.28 of this amount went toward the erection of public buildings. For the same period Colorado expended $1,158,949.14. Nevada expended during 1883, $571,931.83 with no outlay for buildings and with a population of but 62,000, and New Hampshire spent $1,016,217.44 with no expense for public improvement. The States of Minnesota, Nebraska and Kansas far exceed these amounts, showing that the inevitable result of statehood is largely increased taxation.

There are benefits to be derived from admission, however, which should also be considered. More speedy justice would be secured in our courts, the present number of our judges being insufficient for the business before them. With votes in Congress, some attention would be paid to improving our water ways, so necessary to the development of the country. If precedent is followed, Dakota would be entitled, on admission, to a per centage on the sale of public land within her borders, which would largely increase her revenue. I am informed also that the credit of the territory suffers because of her exclusion from the Union. Those who have negotiated our bonds announce that such as have sold at par would have readily commanded a premium had Dakota been a state.

But aside from the financial advantages to accrue, there are the accompanying rights of self government dear to every community of American citizens. Among these is the power of the people to choose their own rulers and to determine who shall administer their affairs. Such a sentiment does not grow out of any narrow-minded exclusiveness. It does not mean that all are not welcome to Dakota where all are so new and the field is so large, but it is a part of that natural and independent spirit which the fathers have transmitted to us, and which can be easily understood and appreciated by the country.

There are plenty of people all over the land who have witnessed the marvelous development of this territory with pride and admiration, and whose hearts beat quicker at this grand illustration of the possibilities of a new state growing up under the fostering care of the great republic. They are not residents but neither are they strangers to you. They have appreciated your trials and rejoiced in your success. I came to you myself from another state, yet I did not feel alien to this people, and where disappointment might have been natural, they accepted cheerfully the action of the constituted authorities and exhibited a laudable desire to co-operate with me in whatever seemed necessary to the furtherance of the public interests. But the day of tutelage is past. I realize fully that the time has come when the people of Dakota should speak and act and decide for themselves; and I cannot but believe when the Congress of the United States fairly understand, as one who resides here must understand, the justice of heeding the appeals of this great Territory, a prompt, cordial and general recognition will be extended to her. Till then it is our part as good citizens to abide in peace and patiently await the action of the government. I am sure, however, that Congress will listen with that respectful consideration which each member of the national body expects to receive for his own people to the candid representations of this legislative assembly, speaking by the authority of the people of the Territory and asking justice at the hands of the Union they honor and obey.

NECESSITY FOR ECONOMY.

It will be necessary to use care and economy in the appropriations to be made. Communities like individuals should retrench their expenditures when their income decreases. The times are hard, and it is feared that the revenues for the present year will be seriously reduced. Our public institutions must be fairly supported of course, and if additions are found necessary, provisions must be made for them; but a consideration of the universal financial distress and the unprofitable returns which have greeted the toil of all classes for the past twelve months will show the necessity of cutting down expenses to the lowest practicable points and should make us hesitate about undertaking new and expensive ventures which it will be difficult to meet.

I need scarcely remind the Legislature that we are at a critical period when harmonious, dignified and well considered legislation will do much to advance the interests of the Territory. You are in the main of one political faith. It is meet that you should be one of the important work before you also. The unfortunate disagreements of the past have injured the Territory seriously. No member of the Legislature can fail to realize this. Our quarrels, whether of the town, the county or the Territory seem to be taken up and magnified a hundred fold all over the land. I ask the members to use all possible forbearance in the proceedings of the session now begun to the end that the whole people may be benefitted and the whole Territory exalted. You compose probably, the last Legislature which will assemble in Dakota as at present comprised. I hope and believe you will adjourn, conscious of work well done and with the thanks and plaudits of your constituents.

GIDBERT A. PIERCE,
Governor of Dakota Territory.

At the conclusion of such reading the Governor and Council retired, and, On motion of Mr. Williams

The Joint Session of the House and Council was dissolved.

Mr. Williams moved

That 10,000 copies of the Governor's message be printed for the use of this House.

Which motion was adopted.

On motion

The House then adjourned to January 15, 1885, at 10 o'clock, a. m.

CASSIUS M. REED,
Chief Clerk.

THIRD DAY.

BISMARCK, Thursday, Jan. 15, 1885.

The House of Representatives convened, pursuant to adjournment, and was

Called to order by the Speaker,

And

Opened with prayer by the Chaplain.

Roll called.

All the members present except
Messrs. Oliver and Southwick,

Who subsequently reported for duty.

Under the regular call of business, Mr. Ruger presented a petition from citizens of Towner county, Dakota, representing that said county was not included in any legislative district, although organized prior to the apportionment made by the legislative assembly, and asking that their chosen representative be admitted to the privileges of the floor, and be paid a per diem. The petition was accompanied with a certificate of election, issued to one Dwight W. Ensign, by the clerk of Towner county, together with communications from A. C. Mellette and Dwight W. Ensign.

All of which were referred to the committee on Elections.

Mr. Barnes, as chairman of the committee on Printing, presented the following report:

The committee to whom was referred the matter of ascertaining the cost of printing the Journal of the House, beg leave to report as follows:

The committee have in a body personally visited every printing establishment in the city. They have not asked for bids from any one outside of Bismarck, for the reason that immediate publication for early distribution makes it necessary that the work be done here. Two bids have been received, coming from the only offices having facilities at the present time to undertake the work. Said bids are hereto appended, and are hereby made a part of this report. The rates named in the bids are substantially the same, and appear to be based on the price paid by the government for its official printing. It is understood that the work, pages, arrangement, type and quality of paper, etc., are to be substantially the same as found in the sample of the Minnesota Journal for 1885, hereby referred to, and hereby annexed.

All of which is respectfully submitted.

V. V. Barnes,
W. F. Steele,
George H. Johnson,
C. M. Reed,
Committee.

I will print the Daily Journal of the House as follows:

150	copies,	$1.35	per page.
250	"	1.37½	"
300	"	1.50	"
350	"	1.62½	"
400	"	1.75	"
450	"	1.87½	"
500	"	2.00	"
1000	"	2.62½	"

Pages substantially the same as Minnesota form.

M. H. Jewell,
Publisher Tribune.

Bismarck, D. T., Jan. 14, 1885.

Gents—The cost of printing 150 copies of the Journal daily, estimating the work at the price paid by the government for its official printing, will be $1.35 cents per page.

For 250	copies,	$1.37½	per page.
For 300	"	1.50	"
For 350	"	1.62½	"
For 400	"	1.75	"
For 450	"	1.87½	"
For 500	"	2.00	"
For 1,000	"	2.62½	"

Very Respectfully,
C. A. LOUNSBERRY,
Publisher Journal.

HON. V. V. BARNES,
Chairman Committee on Printing Journal.

Upon the reading of which,

Mr. Van Osdel moved

That the report be laid on the table.

The ayes and nays were called on the motion.

The roll being called, there were 10 votes in the affirmative and 37 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Helvig, Larson, Langan, Myron, McHugh, Oliver, Parshall, Swanton, Stewart and Van Osdel.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Miller. Martin, McCall, McCumber, Morgan, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Stebbins, Scott, Stong, Ward of Torner, Williams, Ward of Brule, and Mr. Speaker.

Mr. Sprague not voting.

So the motion was lost.

Mr. Pickler moved

That the committee be granted further time, and report definitely, if possible, to-morrow, the average number of pages per day that the Journal will require, and the average cost per day, and likewise the cost of bound volumes of proceedings of the session.

Mr. Blakemore moved

As a substitute, that the committee be authorized to arrange for the printing of 500 copies of the Journal daily.

The ayes and nays were demanded on the adoption of the substitute.

The roll being called, there were 38 votes in the affirmative and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson,. Johnson, Miller. Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Dawson, Helvig, Larson, Langan, Myron, Oliver, Southwick, Swanton, VanOsdel, Ward of Turner.

So the substitute was adopted.

Mr. Pickler gave notice of a motion to reconsider the vote by which the substitute was adopted.

Mr. Pickler again moved

That the committee be granted further time and report definitely to-morrow, if possible, the average number of pages per day that the Journal will require and the average cost per day, and likewise the cost of bound volumes of proceedings of the session, which was ruled out of order.

On motion of Mr. Williams,

Mr. Coe was excused for necessary absence yesterday.

Mr. Huntington moved

That a committee of seven be appointed on elections, of which the gentleman from Kingsbury county, Mr. Barnes, shall be chairman.

Which motion prevailed.

And thereupon the Speaker appointed

Messrs. Barnes, of Kingsbury county; Dawson, of Clay county; Van Osdel, of Yankton county; Huston, of Douglas county; McCumber, of Richland county; Pierce, of Hamlin county; and Coe, of Morton county,

To act as such committee.

Mr. Stewart then presented the following resolution:

Be it Resolved, by the House of Representatives of the Territory of Dakota:

That the several reporters for the daily papers, reporting the proceedings of the House, be and are hereby entitled to a copy of each document, bill, or other printed matter furnished to the members of the House.

Which resolution was duly adopted.

Mr. Steele moved

The following joint resolution, known as

House Bill No. 1:

Be it Resolved by the House of Representatives, the Council concurring, that the Secretary of the Territory be and he is hereby authorized to purchase forty copies of the Code and Session Laws of 1883.

On motion of Mr. Pickler,

The rules were suspended and the resolution read the first and second times.

When Mr. Pickler moved

That the rules be suspended; that the resolution be considered engrossed, and the resolution be put upon its final passage.

Carried.

And the resolution read the third time.

The roll being called there were 42 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Strong, VanOsdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Johnson, Martin, Oliver, Southwick.

Mr. Parshall not voting.

So the resolution passed.

Mr. Martin moved

That when the House adjourn, it adjourn to meet January 16, 1885, at 2 o'clock p. m.

Which motion prevailed.

On motion the House adjourned.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FOURTH DAY.

BISMARCK, Friday, Jan. 16, 1885.

The House assembled pursuant to adjournment at 2 o'clock p. m., the Speaker presiding.

Prayer offered by the Chaplain.

Reading of the Journal of preceding day was, on motion of Mr. Johnson, dispensed with.

Roll call.

All members present excepting Messrs. Gregg, Hutchinson and Miller, who reported subsequently.

Mr. Williams was granted unanimous consent and introduced the following resolution:

Resolved, That the following named be appointed a committee on legislative apportionment: M. T. DeWoody, chairman; and Messrs. Johnson, Pickler, Miller, Dawson, Langan, Ward of Brule, Smith of Minnehaha, Southwick, Martin, Steele, Pugh, Morgan, McHugh. And said committee is hereby instructed to report a bill at their earliest convenience dividing the Territory into Legislative districts and apportioning the representation thereof.

Which resolution was debated by Mr. Speaker and Messrs. Blakemore, Williams and VanOsdel.

The ayes and nays were demanded on its adoption.

The roll being called there were 18 votes in the affirmative and 30 votes in the negative, viz:

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Langan, Myron, Martin, Miller, McCall, McCumber, Parshall, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, VanOsdell, Ward of Turner, Mr. Speaker:

Those who voted in the affirmative were:

Messrs. DeWoody, Huston, Hutchinson, Morgan, McHugh, Oliver, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Strong, Williams, Ward of Brule.

So the resolution was lost.

Messrs. Johnson, Martin and Sprague explaining their votes.

On the regular call Mr. Barnes, chairman of the committee on Elections, presented the following report:

REPORT OF THE COMMITTEE ON ELECTIONS.

MR. SPEAKER:

Your committee on Elections, to whom was referred the petition and application for recognition of Dwight W. Ensign, as representative from Towner county, upon the floor of the House, and for such power and privileges as may be conferred, beg leave to report:

That the committee have made a full examination in the facts, merits and law in the case, and while regarding the petitioners and said county as being unfortunate in having been deprived of the privilege of their legislative vote, to which they were entitled, and which appears not to have been granted, (owing to the creation of said county by the legislature of 1883, very near the close of the session, and after or about the time of the passage of the apportionment bill), deem the remedy prayed for to be such as this House can not consistently grant. The case does not, under all the circumstances, appear to be sufficiently aggravated to warrant the House in such a departure from the usual application of the law, as to establish what might prove a troublesome and perhaps dangerous precedent.

We therefore respectfully recommend that the petition be not granted.

V. V. BARNES,
E. B. DAWSON,
A. L. VAN OSDEL,
C. E. HUSTON,
P. J. MCCUMBER,
GEORGE W. PIERCE,
HENRY W. COE.

Which report was adopted and the committee discharged from further consideration of the subject.

Mr. Barnes, as Chairman of the Committee on Printing, presented the following report:

MR. SPEAKER:

Your committee who were authorized to arrange for the printing of 500 copies of the Journal of the House, daily, have instructed me to report as follows:

That the committee have arranged with M. H. Jewell, publisher of the Bismarck Tribune, for such printing, in accordance with the bill filed with previous report, except that, owing to inconvenience in getting type of the size shown in sample, there is a difference of 7½ per cent. in the page, which has been duly allowed for by deducting such per cent. from the price, making the cost of printing $1.85 (one and eighty-five one-hundredths dollars), instead of $2.00 per page.

The duration of such arrangement and the manner of distribution are subject to the order of the House.

Dated January 16, 1885.

V. V. BARNES,
Chairman.

Mr. Blakemore moved
The adoption of the report.

Mr. Van Osdel moved
To lay the report of the Committee on the table.

The ayes and nays were demanded.

The roll being called, there were 8 votes in the affirmative and 39 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Helvig, Swanton, Smith, Stewart, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stong, Williams, Ward of Brule.

Mr. Speaker not voting.

So the motion was lost and the motion for the adoption of the report prevailed.

Mr. Martin, for the Committee on Rules, presented the following as the report of the committee:

The House Committee appointed to prepare rules beg leave to report, and respectfully recommend the adoption of the following for the government of the House of Representatives of Dakota Territory during the Sixteenth Legislative Session.

EBEN W. MARTIN,
For the Committee.

January 16th, 1885.

RULES

OF THE

HOUSE OF REPRESENTATIVES

OF

Dakota Territory.

SIXTEENTH SESSION.

1. The Speaker shall take the chair at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of the members called, and the names of the absentees shall be entered upon the Journal of the House.

2. Upon the appearance of a quorum, the Journal of the preceding day shall be read by the Clerk, and any mistakes therein shall be corrected by the House.

3. Any six members of the House may order a call of the House and cause absent members to be sent for, but a call must not be made after the voting has commenced. A call being moved, the Speaker shall require those desiring the call to rise, and if six or more members shall rise, the call shall be ordered. The call being ordered, the Sergeant-at-Arms shall close the door and no member

shall be allowed to leave the room. The Clerk shall then call the roll and furnish the Sergeant-at-Arms with a list of those members absent without leave, and that officer shall then proceed forthwith to find and bring in such absentees. While the House is under call no business shall be transacted except to receive and act upon the report of the Sergeant-at-Arms, and no motion shall be in order except a motion to suspend further proceedings under the call; and said motion shall not be adopted unless a majority of all the members elect vote in favor thereof. Upon the report of the Sergeant-at-Arms, showing that all the members who were absent without leave, naming them, are present, the call shall be at an end and the door shall be opened and the business or motion pending at the time the call was made shall be proceeded with.

4. The Speaker shall preserve order and decorum, and shall decide questions of order subject to an appeal to the House.

5. The Speaker shall vote on all questions taken by ayes and nays (except on appeals of his his own decisions) and in all elections or divisions called for by any member.

6. When the House adjourns the members shall keep their seats until the Speaker announces the adjournment.

7. Every member previous to his speaking shall rise from his seat and respectfully address the Speaker, and remain standing in his place before proceeding to speak, until he is recognized by the chair.

8. When two or more members rise at once, the Speaker shall designate the member who is first to speak; but in all cases the member who shall first rise and address the chair shall speak first.

9. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every member choosing to speak on the question pending shall have spoken.

10. No motion shall be debated or put unless the same be seconded; it shall be stated by the Speaker, before debate, and any such motion shall be reduced to writing if the Speaker or any member desire it.

"After a motion shall be stated by the Speaker it shall be deemed to be in possession of the House, but may be withdrawn at any time before amendment or decision; but all motions, resolutions or amendments shall be entered on the journal, whether rejected or adopted.

12. When a question is under debate, no motion shall be received but to adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or to amend; to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.

13. A motion to adjourn shall always be in order, except when a member is addressing the chair or a vote is being taken; that, and the motion to lay upon the table, shall be decided without debate.

14. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the House to a direct vote upon the amendments reported by a committee, if any; upon the pending amendments, and then upon the main question. On a motion for the previous question and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to decision of the main question.

15. When the previous question is decided in the negative it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of by taking the question, or in some other manner.

16. All incidental questions of order arising after a motion is made for the previous question, during the pending of such motion, or after the House shall have determined that the main question shall be now put, shall be decided, whether on appeal or otherwise, without debate.

17. Petitions, memorials and other papers addressed to the House shall be presented by the Speaker or by a member in his place.

18. Every member who shall be present before the vote is declared from the chair, and no other, shall vote for or against the same unless the House shall excuse him, or unless he is immediately interested in the question, in which case he shall not vote.

19. When the Speaker is putting the question, no member shall walk out or across the House; nor when a mem-

ber is speaking shall any person entertain any private discourse, or pass between him and the chair.

20. If the question in debate contains several points, any member may have the same divided.

21. A member called to order shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide the case. If there be no appeal, the decision of the chair shall be submitted to. On an appeal, no member shall speak more than once without leave of the House, but each member may speak once, except when a member is called to order for offensive language, in which case there shall be no debate.

22. Every bill shall be introduced by a motion for leave, or by an order of the House on a report of a committee; and one day's notice at least shall be given of a motion for leave to bring in a bill, unless two-thirds of the members present shall vote in favor of its being brought in without such previous notice. Every notice of a motion for leave to bring in a bill shall be in writing, and shall contain the title of the bill.

23. Every bill, before being introduced, shall have endorsed thereon the title of the same; and every bill or resolution shall have thereon the name of the member introducing it; and when ordered by a committee, the name of such committee shall be endorsed thereon.

24. All bills, memorials or joint resolutions shall be read the first time when introduced, for information, and if opposition be made to it, the question shall be: "Shall this bill be rejected?" If no opposition be made, or if the motion to reject be lost, the bill shall go to its second reading without a question.

25. All bills, memorials or joint resolutions, on their second reading, shall be read at length, and the question taken upon their commitment, amendment or engrossment for a third reading.

26. All bills, memorials or joint resolutions, on their third reading, shall be read by their title, and no amendment shall be in order, except by unanimous consent of the House.

27. Every bill shall be read on three different days, unless in case of urgency two-thirds of the House shall deem it expedient to dispense with this rule, and no bill shall be passed unless it shall have been read once at length.

28. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; no bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

29. In forming a committee of the whole House, the Speaker shall appoint a chairman to preside.

30. Bills committed to the committee of the whole House, shall in committee of the whole thereon be first read through, unless the committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered; all amendments shall be noted in writing and reported to the House by the chairman.

31. All questions, whether in committee or in the House, shall be put in the order they are moved, except in cases of privileged questions, and in filling up blanks the largest sum and the longest time shall be first put.

32. A similar mode of proceeding shall be observed with bills which have originated in and passed the Council, as with bills originating in the House, except that they shall not be printed.

33. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be considered took place, nor unless one of the majority shall move a reconsideration.

34. When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill or joint resolution until after the time during which the said motion can be made, unless the same can previously be disposed of.

35. Any member who votes on that side of a question which prevailed, may be at liberty to move a reconsideration, and a motion for a reconsideration shall be decided by a majority of votes.

36. The rules of the House shall be observed in committee of the whole House, so far as may be applicable, except that the ayes and nays shall not be called, the previous question enforced, nor the time of speaking limited.

37. A motion that the committee rise shall always be in order, and shall be decided without debate.

38. Standing committees shall be appointed on the following subjects:

1. Judiciary.
2. Education.
3. Ways and Means.
4. Appropriations.
5. Counties.
6. Towns and Cities.
7. Public Printing.
8. Engrossed and Enrolled Bills.
9. Territorial Affairs.
10. Agriculture.
11. Insurance.
12. Banking.
13. Mines and Mining.
14. Railroads.
15. Charitable Institutions.
16. Penal Institutions.
17. Highways, Bridges and Ferries.
18. Immigration.
19. Elections and Privileges.
20. Indian Affairs.
21. Manufactures.
22. Public Lands.
23. Public Health.
24. Warehouses, Grain Grading and Dealing.
25. Military Affairs.
26. Federal Relations.
27. Public Buildings.
28. Rules.

The committees on Judiciary, Counties, Railroads and Public Buildings shall consist of nine (9) members each. Each of the other committees shall consist of seven (7) members.

39. The first named member of each committee shall be the chairman; and in his absence or being excused by the House, the next named member, and so on as often as the case shall happen, shall act as chairman.

40. The chairman shall appoint the clerk of his committee, who shall be paid at the public expense of the Territory, the Legislature having first provided therefor.

41. The committee on Engrossment shall examine all bills after they are engrossed, and report the same to the

House correctly engrossed, before their third reading; said committee may report at any time.

42. The committee on Enrollment shall examine all House bills and joint resolutions, which have passed the two houses, and when reported correctly enrolled they shall be presented to the presiding officers of the House and Council for their signatures, and when so signed, to the Governor for his approval; said committee may report at any time.

43. Select committees to whom references shall be made shall, in all cases, report a state of facts and their opinion thereon to the House.

44. In all cases where a bill, order or resolution, or motion shall be entered upon the Journal of the House, the name of the member moving the same shall be entered on the Journal.

45. No person shall be admitted within the bar of the House but the Executive, members of the Council, Territorial officers, Judges of the Supreme and District Courts, members of Congress, those who have been members of Congress and the Legislative Assembly, and all Federal officials of the Territory.

46. The Speaker shall cause the Clerk of the House to make a list of all bills, resolutions, reports of committees and other proceedings of the House, which are committees to a committee of the whole House, and which are not made the order of the day for any particular day, and to number the same, which list shall be called "the general order of the day;" and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House, and the Clerk shall also keep a book showing the situation and progress of bills.

47. After calling the House to order, the order of business for the day shall be as follows:

1. Prayer by the Chaplain.
2. Calling the roll.
3. Reading the Journal.
4. Presentation of Petitions and Communications.
5. Reports of Standing Committees.
6. Reports of Seclect Committees.
7. Motions and Resolutions.
8. Notices of Bills.

9. Introduction of Bills, Joint Resolutions and Memorials.
10. Consideration of Messages from the Council.
11. First Reading of Council Bills, Joint Resolutions and Memorials.
12. Second Reading of the same.
13. Third Reading of the same.
14. Second Reading of House Bills, Joint Resolutions and Memorials.
15. Third Reading of the same.
16. Consideration of General Orders.
17. Unfinished Business.

48. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

49. When the House has arrived at the general orders of the day, they shall go into Committee of the Whole upon such orders, or a particular order designated by a vote of the House, and no other business shall be in order until the whole are considered or passed, or the committee rise: and unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass the general order, according to the order of their reference.

50. The Speaker may leave the chair, appoint a member to preside, but not for a longer time than one day, except by leave of the House.

51. The rules of parliamentary practice adopted by the House of Representatives of the United States shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and the joint rules and orders of the Council and House of Representatives.

52. No rule of the House shall be suspended, altered or or amended without the concurrence of two-thirds of the members present.

53. The hour of the daily meeting of the House shall be eleven o'clock in the morning, until the House direct otherwise.

54. The ayes and nays shall not be ordered unless demanded by two members, except upon the final passage of

bills, joint resolutions and memorials, in which case the ayes and nays shall be had without any demand.

55. All House Bills of a general nature shall, on their first reading, be printed without a special order of the House, except bills that are rejected.

56. In case all the members of any committee required or entitled to report on any subject referred to them, can not agree upon any report, the majority and minority may each make a separate report; and any member dissenting in whole or in part from the reasonings and conclusions of both majority and minority, may also present to the House a statement of his reasonings and conclusions; and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal.

Which report and rules were,
On motion of Mr. Williams,
Adopted and declared the rules of the House.

Mr. McCumber moved
That the committee on Printing have 500 copies of rules printed at the earliest possible time.

Which was adopted.

Mr. Smith moved
That the papers now in the hands of the Secretary of the Territory, in relation to the contested seats of T. G. Anderson vs. E. Hutchinson, and John Bechtel vs. H. Stong, be at once referred to the committee on Elections, and the chairman requested to at once investigate these cases and report the facts in these cases to this Assembly as soon as possible.

NOTICE OF BILLS AND MEMORIALS.

Mr. Williams
Gave notice that he would to-morrow or at some early day, present a Memorial to Congress asking for division of the Territory of Dakota, and for admission of the southern part thereof as a state into the Union.

Mr. Pickler
Gave notice that he would on to-morrow or at the next sitting of this body, introduce a bill entitled an act to relocate the Capital of the Territory of Dakota."

Mr. Smith
Gave notice of the introduction of a bill for an act relating to the World's Industrial and Cotton Centennial Exposition at New Orleans, Louisiana.

Mr. DeWoody

Gave notice of the introduction of a bill to define the boundary lines of Edmunds county.

Mr. McCumber

Gave notice of the introduction of a bill to legalize a certain ordinance of the town of Wahpeton providing for the establishment of waterworks, and to legalize the issue of certain bonds thereunder.

Mr. Barnes

Gave notice of the introduction of a bill to amend section 82, School Law of 1883.

Mr. Blakemore

Gave notice of the introduction of a bill to allow the commissioners of Hyde county to equalize and correct certain tax levies.

Mr. Miller

Gave notice of the introduction of a bill to amend section 4, chapter 49, Laws of 1879.

Mr. Steele, by unanimous consent, introduced a bill for an act regulating the grading and weighing of wheat and for the appointment of a Grain and Warehouse Commission, known as House Bill No. 2, which was read by its title.

Mr. Barnes, by unanimous consent, introduced a bill entitled an act to amend section 82, School Law of 1883, known as House Bill No. 3, which was read by its title.

A motion by Mr. Barnes to suspend the rules and that the bill go to its second reading, was, after debate withdrawn by the maker, and the House on motion adjourned to January 17, 1885, at 11 o'clock a. m.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTH DAY.

BISMARCK, Saturday, January 17, 1885.

The House met at 11 o'clock a. m., according to adjournment.

The Speaker presiding.

And was opened with prayer by the Chaplain.

Roll called,

And all members responding, excepting Messrs. Coe and Williams.

Quorum present.

Mr. William reported present.

Mr. Steele asked unanimous consent to amend rules so that the committee on Warehouses and Grain Dealing shall be known as the committee on Warehouses, Grain Grading and Dealing.

Allowed and carried.

The Journal, after certain corrections, was approved.

Order of business was called and

Mr. Martin, for the committee on Joint Rules, presented the following as the report of such committee:

BISMARCK, Jan. 17, 1885.

MR. SPEAKER:

The committee on Joint Rules beg leave to report, and recommend that the Joint Rules used by the Fifteenth Legislative Assembly be adopted and used as the Joint Rules of this present, the Sixteenth Session of the Legislative Assembly of the Territory of Dakota.

EBEN W. MARTIN,
For the House Committee on Joint Rules.

JOINT RULES.

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1. In every case of disagreement between the two Houses, if either House request a conference and appoint a committee for that purpose, the other House shall appoint a committee to confer therewith upon the subject of their disagreement. They shall meet at a convenient time, to be agreed upon by their chairmen, and having conferred freely, each shall report to their respective Houses the result of their conference.

2. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent, by the Sergeant-at-Arms thereof, and shall be respectfully communicated to the chair by the person by whom it was sent.

3. All messages between the two Houses shall be communicated by the chief clerks or their respective assistants.

4. When a bill shall have passed both Houses, it shall be duly enrolled by the enrolling clerks of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the chief clerk thereof.

5. When bills are enrolled they shall be examined by a joint committee of three from the Council and three from the House of Representatives, who shall be a standing committee for that purpose, and who shall carefully compare the enrollment with the engrossed bills, as passed in the Houses, correct any errors therein, and make report thereof forthwith to their respective Houses.

6. After said report each bill shall be signed, first by the presiding officer of the House in which it originated, then by the presiding officer of the other House, in the presence of their respective Houses, and attested by their chief clerks.

7. After the bill shall have been thus signed in each House it shall be presented by said committee to the Governor for his approval, and they shall forthwith report the day and hour of presentation, which shall be entered upon the journal of the House in which the bill orignated.

8. All joint and concurrent resolutions and memorials to Congress, to the President of the United States, to the heads of departments, or to any other person or persons,

after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House of Representatives and the President of the Council, and attested by the chief clerks and before being transmitted to the Secretary of the Territory for safe keeping shall be carefully copied by the enrolling and engrossing clerk, and such copies after being signed by the presiding officers of each House, and attested by the chief clerks of both Houses shall be forwarded by the presiding officer of the House in which they originated to the President of the United States, or the Speaker of the House of Representatives of Congress, or the person or persons to whom they are intended to be sent.

9. When any bill, joint resolution, or memorial, which shall have passed one House, is rejected in the other, notice of said rejection shall be given to the House which has passed the same.

10. When a bill, resolution or memorial which shall have passed one House is rejected in the other, it shall not be again introduced during the session without five days' notice, or leave of two-thirds of the members voting.

11. Each House shall transmit to the other, with any bill, resolution or memorial, all papers upon which the same shall be founded.

12. When each House shall have adhered to their disagreement a bill or resolution is lost.

13. When any bill or resolution which may have passed one House, is ordered printed by the other, a greater number of copies shall not be printed than is necessary for the use of the House making the order. When any other bill or resolution shall be ordered printed by either House, a sufficient number of copies shall be printed for the use of both Houses.

14. It shall be the duty of the chief clerk of the House of Representatives, and the chief clerk of the Council, when any document except bills and resolutions, is ordered to be printed in their respective Houses. forthwith to communicate such order to the other House.

15. On all questions in joint convention of the two Houses the names of the members shall be arranged in alphabetical order, annd they shall be called upon to vote in the order in which they stand arranged.

16. Whenever the two Houses are assembled in joint

convention the officers of the Council shall be the officers of the joint convention, and the House officers shall be assist officers respectively thereto.

NOTICE OF BILLS.

Mr. Huntington

Gave notice that on Monday next, or on some subsequent day of this session, he would introduce a bill for an to define the boundaries of Day and Marshall counties.

Also,

For a bill for an act to incorporate the village of Webster.

Mr. Martin

Gave notice that on Monday, January 19, 1885, or upon a subsequent day of this session he would move for leave to bring in a bill with the following title:

An act providing for the recording of the official bonds of civil officers.

Also,

A bill for an act entitled an act to amend section 218 of the Code of Civil Procedure.

Also,

A bill for an act entitled an act to amend certain sections of part 2, chapter XIII., of the Code of Civil Procedure; subject, exemptions.

Also,

A bill for an act entitled an act to amend section 339 of the Code of Civil Procedure.

Mr. Huntington

Gave notice that on Monday next, or on some subsequent day of this session, he would introduce a bill for an act authorizing the county commissioners of Day county to fund the outstanding indebtedness thereof.

Mr. Eldredge

Gave notice that on Monday next, or on some subsequent day, he would introduce a bill to incorporate the villege of Big Stone City.

Mr. Hobart

Gave notice that he would on Monday, or on some future day, introduce a bill to extend the time that taxes become delinquent from February 1, 1885, to June 1, 1885.

Mr. DeWoody

Gave notice that he would on Monday next, or some following day, introduce a bill for an act to increase the jurisdiction of the Probate Judge.

Mr. Barnes

Gave notice that he would on Monday next, or upon some subsequent day, introduce a bill for an act to incorporate the city of DeSmet.

INTRODUCTION OF BILLS.

Mr. Smith introduced—

A bill for an act relating to the World's Industrial and Cotton Centennial Exposition at New Orleans, Louisiana.

Mr. Steele introduced—

A bill for an act to define the boundaries of Kidder county.

Mr. Miller introduced—

A bill for an act to amend section 4, chapter 49, Laws of 1879.

Mr. Pickler introduced—

A bill for an act to relocate the Capital of the Territory of Dakota.

All of which bills were read by their title, and by request of Mr. Pickler the bill for an act to relocate the Capital of the Territory of Dakota, was read at length by the Clerk.

SECOND READING OF HOUSE BILLS.

House Bill No. 3. A bill for an act to amend section 82, chapter 44, School Laws of 1883,

Was read,

And by unanimous consent there was added after the words "common schools," the words "in any village or city," and the bill as amended to be referred to the committee on Education when appointed.

Mr. Johnson moved

That the House adjourn.

Mr. Pickler moved

That the House adjourn until 3 o'clock p. m.

Which motion was lost.

And thereupon the House adjourned to meet Monday, January 19, 1885, at 11 o'clock a. m.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

SEVENTH DAY.

BISMARCK, Monday, Jan. 19, 1885.

The House assembled pursuant to adjournment at 11 o'clock a. m., and was called to order by the Speaker.

Prayer by the Chaplain.

Roll call.

Quorum present.

Journal of the preceding day read and approved.

Communication from Daniel O'Neil, requesting the appointment of mail carrier between the House and Bismarck, was, on motion of Mr. Van Osdel, laid on the table.

PETITIONS AND COMMUNICATIONS.

Mr. Williams then presented the following petition, signed by over 300 citizens of Bismarck:

To the Honorable Legislative Assembly of the Territory of Dakota, in Sixteenth Session Assembled:

We, the undersigned citizens of Burleigh county, believing that it is the earnest desire of a large majority of the people of the whole Territory to have division on the Seventh standard parallel according to government survey, and the admission of the southern portion as a state, and possibly the northern also; further believing that the Congress of the United States will listen more attentively to appeals from your honorable body than to any other form of petition, therefore we earnestly and respectfully petition that a memorial, setting forth the desire of the people to that effect, be adopted by your honorable body and forwarded to our Delegate in Congress with a request that he present the same at once, and so your petitioners will ever pray.

The petition was referred to the committee on Federal Relations.

Mr. Blakemore introduced the following resolution:

Resolved, That the committee on Elections be, and is hereby empowered, to send for papers and persons to give evidence in the contest filed by John Bechtel against Henry Stong.

Mr. Williams moved

To lay the resolution on the table, subsequently withdrew the motion, and the resolution was adopted.

Mr. Johnson moved

That when the House adjourn it adjourn to meet to-morrow at 3 o'clock p. m.

Which motion prevailed.

Mr. Van Osdel introduced the following resolution:

Resolved, That a committee of five be appointed by the Speaker, to confer with a like committee from the Council, for the purpose of conferring with a committee appointed by the Minnesota Legislature in regard to the drafting and passing of bills in regard to the handling, grading and transportation of grain.

Mr. Smith introduced—

A joint resolution:

Resolved, That the Speaker of the House, together with the President of the Council, appoint a postmaster for both houses of the Legislature.

NOTICE OF BILLS.

Mr. Van Osdel

Gave notice that he would on to-morrow or some subsequent day of the session, introduce a bill to amend chapter ninety-nine (99) of the Session Laws of 1883.

Mr. Riddell

Gave notice that on to-morrow, January 20th, or at some subsequent day of the session, he would introduce a bill legalizing the incorporation of the village of Valley Springs, in the county of Minnehaha and Territory of Dakota, and the official acts of the officers of said village.

Mr. Southwick

Gave notice that on to-morrow or some subsequent day he would introduce a bill entitled an act for the assessment of, levy and collection of taxes upon the property of railroad and telegraph companies in Dakota Territory.

Mr. Pugh

Gave notice that on to-morrow or some future day he would introduce a bill forming a new sub-division of the Sixth Judicial District, comprising the counties of Dickey, LaMoure and McIntosh.

Also,

A bill to fund the outstanding indebtedness of Dickey county.

Mr. Scott

Gave notice that he would on January 20, 1885, or at some subsequent day of the session, introduce a bill for an act entitled an act giving to owners of threshing machines a lien for threshing grain, and for other purposes.

Also,

Of a bill for an act entitled an act regulating the foreclosure of chattel mortgages.

Mr. McCall

Gave notice that on to-morrow or some subsequent day of this session he would introduce a bill entitled an act to establish a fence law in the counties of Fall River, Custer, Pennington, Lawrence and Butte.

Also,

A bill entitled an act to define the boundary lines of Meade county, to establish the east boundary line of Lawrence county, and for other purposes.

Mr. Swanton

Gave notice that on to-morrow or some subsequent day of the present session he would introduce a bill to repeal chapter 8 of the Session Laws of 1883, entitled an act to create the office of Attorney General, provide for his appointment and to define his powers and duties, and for other purposes.

Mr. Miller

Gave notice that on to-morrow or some future day he would introduce a bill entitled an act to regulate the names of towns, etc.

Mr. McCumber

Gave notice of a bill to change the boundary lines of the county of Richland.

Mr. Bayard

Gave notice of a bill for the adoption of a uniform class of text books for the use of the common schools of the Territory of Dakota.

Mr. Coe

Gave notice of a bill conferring jurisdiction upon the district court of the Sixth Judicial District and the judge thereof.

Also,

A bill authorizing the county of Morton to issue bonds for the purpose of procuring ground and erecting thereon a court house and jail for the county of Morton.

Mr. Blackmore

Gave notice of a bill to fund the outstanding indebtedness of Hyde county.

Mr. Williams

Gave notice of a bill to authorize and empower the Governor and Secretary to cause a re-appraisement of the real estate donated by the city of Bismarck to the Territory to be made, and for other purposes.

Also,

A bill to authorize the county of Burleigh to issue $40,000 bonds to be used in the purchase of Capitol addition lots, sufficient to cancel all debts contracted in the construction of the Capitol.

Mr. Parshall

Gave notice of bill for an act appropriating funds for the construction of a Normal School building, at Springfield, Bon Homme county, Dakota, and for other purpose.

Mr. Pickler

Gave notice that he would on Tuesday, the 20th of January, 1885, or some subsequent day, offer a joint resolution providing for a committee of twelve, five from the Council and seven from the House, being one from each Legislative District, to take into consideration and report from time to time, as to what action this Leglature should take to secure the division of the Territory and admission of the southern half, and to consider and report what in their opinion this legislature should do, to convince the people and Congress of the United States that the people of this Territory are thoroughly in earnest as to the division of the Territory and that they are unalterably opposed to its admission as a whole.

INTRODUCTION OF BILLS.

Mr. Oliver introduced—

House Bill No. 8. A bill for an act relating to warehouses and the transportation of grain.

Mr. Miller introduced—

House Bill No. 9. A joint resolution to appropriate sufficient money to pay for seven daily papers.

Mr. Williams introduced—

House Bill No. 10. A memorial to Congress relating to the division of the Territory and the admission of the south half as a State.

Mr. McCumber introduced—

House Bill No. 11. A bill for an act to legalize a certain ordinance of the town of Wahpeton, providing for the establishment of water works, and to legalize the issue of certain bonds thereunder.

Mr. Blakemore introduced—

House Bill No. 12. A bill for an act to legalize the taxes of Hyde county, and to authorize the commissioners to equalize.

Mr. Martin introduced—

House Bill No. 13. A bill for an act to amend section 218 of the Code of Civil Procedure.

Mr. DeWoody introduced—

House Bill No. 14. A bill for an act to define the boundaries of McPherson and Edmunds counties.

Also,

House Bill No. 15. A bill for an act relating to the foreclosure of chattel mortgages.

Mr. Martin introduced—

House Bill No. 16. A bill for an act to amend section 339, of the Code of Civil Procedure.

Mr. Williams moved that

The rules be suspended, and that

House Bill No, 10.

A memorial to Congress relating to the division of the Territory, and the admission of the south half as a State,

Be considered engrossed: be read the second and third time by its title, and put upon its final passage.

Which was adopted.

The bill was then read the second and third times and put upon its final passage.

The roll being called there were 48 votes in the affirmative and no votes in the negative.

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkel, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

So the memorial passed, and its title was agreed to.

Mr. McCumber moved

That the rules be suspended, and that

House Bill No. 12,

A bill for an act to legalize a certain ordinance of the town of Wahpeton, providing for the establishment of water works, and to legalize the issue of certain bonds thereunder,

Be considered engrossed; be read the second and third times by its title, and put upon its final passage.

Which was adopted.

The bill was then read the second and third times and put upon its final passage.

The roll being called there were 48 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Blakemore moved

That the rules be suspended, and that

House Bill No. 12,

A bill for an act to legalize the taxes of Hyde county, and to authorize the commissioners to equalize,

Be considered engrossed; be read the second and third times and put upon its final passage.

Which motion was lost.

SECOND READING OF HOUSE BILLS.

Mr. Steele, by unanimous consent, was permitted to amend

House Bill No. 2,

A bill for an act regulating the grading and weighing of wheat, and for the appointment of a warehouse commission, so as to provide that the appointing power rest in the Executive, instead of the Justices of the Supreme Court of the Territory.

The bill was read the second time and referred to the committee on Warehouses, Grain Grading and Dealing.

House Bill No. 4,
Introduced by Mr. Smith,

An act relating to the World's Industrial and Cotton Centennial Expasition at New Orleans.

Read the second time and referred to the committee on Appropriations.

House Bill No. 5,
Introduced by Mr. Steele,

A bill for an act the define the boundaries of Kidder county.

Read the second time and referred to the committee on Counties.

House Bill No. 6,
Introduced by Mr. Miller,

A bill for an act to amend section 4, chapter 49, Laws of 1879.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 7,

Introduced by Mr. Pickler,

A bill for an act to relocate the Capital of the Territory of Dakota.

Read the second time.

Mr. Pickler moved.

That the bill be engrossed for a third reading.

Which motion prevailed.

Mr. McCumber moved

That the consideration of the bill be postponed until two weeks from January 19, 1885, and that it be made a special order for the adjourned day.

Mr. Johnson moved

To amend by making it a special order for Wednesday, January 21, 1885, at 12 o'clock m.

The ayes and nays were demanded on the passage of the amendment.

The roll being called there were 32 votes in the affirmative and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Sprague, Stong, VanOsdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Coe, Hutchinson, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Williams.

Mr. Smith was excused from voting.

So the motion to amend prevailed, and

Wednesday next, at 12 o'clock m. was fixed as the time to consider the bill under special order.

Mr. Ward of Brule asked unanimous consent to have the committee on elections report in the case of Anderson vs. Hutchinson.

Granted.

Whereupon the committee reported as follows:

MR. SPEAKER:

Your committee on elections ask for instructions from the House, as to whether they are to exercise the power, in case they deem fit, to examine into and consider the merits of a case and report thereon, where the notice of contest is imperfect, or where there is want of service.

V. V. BARNES,
Chairman.

Dated, January 18, 1885.

Mr. Williams moved
That tne case be referred back to the committee to report facts.

Mr. Steele moved
To amend to refer back to the committee for the purpose of ascertaining the facts of service, and report the same to this House.

Amendment withdrawn.

Mr. Martin moved
To amend by adding, "both as to service and merits."

Which amendment was lost, and the original motion prevailed.

The Speaker called Mr. Williams to the chair, and moved
That the House adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

EIGHTH DAY.

BISMARCK, Tuesday, Jan. 20, 1885.

The House assembled at 3 o'clock p. m., pursuant to adjournment.

Mr. Speaker presiding.

Prayer by the Chaplain.

Roll called.

Quorum present.

Mr. Helvig was excused on account of sickness.

On motion of Mr. DeWoody,
The reading of the Journal was dispensed with.

SPECIAL COMMITTEE.

The Speaker announced the following committees
To confer and act with Council committe on Warehouse Grain Grading and Dealing:

Steele, of Kidder, chairman; Huntington, of Day; Scott, of Grand Forks; Hobart, of Moody; Van Osdel, of Yankton.

STANDING COMMITTEES.

1. JUDICIARY—
Martin, of Lawrence; Runkle, of McCook; Barnes, of Kingsbury; Pickler, of Faulk; Eldredge, of Grant; Sprague. of Custer; Williams, of Burleigh; McCumber, of Richland; Morgan, of Traill.

2. EDUCATION—
Bayard, of McCook; Myron, of Clay; Swanton, of Hutchinson; Parshall, of Hanson; Blakemore, of Hyde; Coe, of Morton; McCumber, of Richland.

3. WAYS AND MEANS—
Dawson, of Clay; Langan, of Turner; Huston, of Douglas; Gregg, of Lawrence; Pugh, of Dickey; Hutchinson, of Nelson; Huntington, of Day.

4. APPROPRIATIONS—
Pickler, of Faulk; Dawson, of Clay; Smith, of Minnehaha; DeWoody, of Edmunds; Williams, of Burleigh; Roach, of Grand Forks; Clark, of Aurora.

5. COUNTIES—
Mark Ward, of Brule; Miller, of Beadle; Oliver, of Ransom; DeWoody, of Edmunds; Helvig, of Lincoln; Coe, of Morton; Scott, of Grand Forks; McHugh, of Cavalier; Swanton, of Hutchinson.

6. TOWNS AND CITIES—
Miller, of Beadle; Eldredge. of Grant; Runkle, of McCook; Clark, of Aurora; Southwick, of Kingsbury; Steele, of Kidder; Hutchinson, of Nelson.

7. PUBLIC PRINTING—
Parshall, of Hanson; Dawson, of Clay; Blakemore, of Hyde; Riddell, of Minnehaha; Steele, of Kidder; McCumber, of Richland; Hutchinson, of Nelson.

8. ENGROSSED AND ENROLLED BILLS—

Barnes, of Kingsbury; Parshall, of Hanson; Blakemore, of Hyde; Dawson, of Clay; Martin, of Lawrence; Ruger, of Ramsey; Pugh, of Dickey.

9. TERRITORIAL AFFAIRS—
Stebbins, of Richland; Scott, of Grand Forks; Stong, of Pembina; Helvig, of Lincoln; Van Osdel, of Yankton; Ward, of Brule; Pierce, of Hamlin.

10. AGRICULTURE—
Stewart, of Walsh; Larson, of Union; Ward, of Turner; Smith, of Minnehaha; McCall, of Lawrence; Stevens, of Griggs; Morgan, of Traill.

11. INSURANCE—
Huston, of Douglas; Riddell, of Minnehaha; Eldredge, of Grant; Roach, of Grand Forks; Ward, of Brule; Steele, of Kidder; Helvig, of Lincoln.

12. BANKING—
Pugh, of Dickey; Runkle, of McCook; Myron, of Clay; Langan, of Turner; Southwick, of Kingsbury; Stevens, of Griggs; Morgan, of Traill.

13. MINES AND MINING—
Gregg, of Lawrence; Sprague, of Custer; McCall, of Lawrence; Martin, of Lawrence; Bayard, of McCook; Stevens, of Griggs; Oliver, of Ransom.

14. RAILROADS—
Huntington, of Day; Van Osdel, of Yankton; Myron, of Clay; Martin, of Lawrence; Barnes, of Kingsbury; Mark Ward, or Brule; Ruger, of Ramsey; Morgan, of Traill; Pugh, of Dickey.

15. CHARITABLE INSTITUTIONS—
Southwick, of Kingsbury; Pierce, of Hamlin; Helvig, of Lincoln; Langan, of Turner; Parshall, of Hanson; McCumber, of Richland; Hutchinson, of Nelson.

16. PENAL INSTITUTIONS—
Johnson, of Brown; Larson, of Union; Blakemore, of Hyde; Swanton, of Hutchinson; Bayard, of McCook; Stewart, of Walsh; Stong, of Pembina.

17. HIGHWAYS, BRIDGES AND FERRIES—
McCall, of Lawrence; Helvig, of Lincoln; Swanton, of Hutchinson; Smith, of Minnehaha; Stebbins, of Richland; Stewart, of Walsh; Stevens, of Griggs.

18. IMMIGRATION—
Larson, of Union; Johnson, of Brown; Williams, of Burleigh; Sprague, of Custer; Stebbins, of Richland; Scott, of Grand Forks; Stong, of Pembina.

19. ELECTIONS AND PRIVILEGES—
Ward, of Turner; Sprague, of Custer; Dawson, of Clay;

Parshall, of Hanson; Pierce, of Hamlin; McHugh, of Cavalier; Coe, of Morton.

20. INDIAN AFFAIRS—

DeWoody, of Edmunds; Myron, of Clay; Hobart, of Moody; McCall, of Lawrence; Oliver, of Ransom; Morgan, of Traill; Gregg, of Lawrence.

21. MANUFACTURES—

Van Osdel, of Yankton; DeWoody, of Edmunds; Larson, of Union; Langan, of Turner; Stebbins, of Richland; Stong, of Pembina; Scott, of Grand Forks.

22. PUBLIC LANDS—

Williams, of Burleigh; Johnson, of Brown; Gregg, of Lawrence; Pickler, of Faulk; Smith, of Minnehaha; Pugh, of Dickey; Ruger, of Ramsey.

23. PUBLIC HEALTH—

Ruger, of Ramsey; Coe, of Morton; Hutchinson, of Nelson; Bayard, of McCook; Hobart, of Moody; Clark, of Aurora; Miller, of Beadle.

24. WAREHOUSES AND GRAIN GRADING AND DEALING—

Steele, of Kidder; Huston, of Douglas; Hobart, of Moody; Oliver, of Ransom; Stewart, of Walsh; Pierce, of Hamlin; Ward, of Turner.

25. MILITARY AFFAIRS—

Morgan, of Traill; Johnson, of Brown; Pickler, of Faulk; Huston, of Douglas; Huntington, of Day; Roach, of Grand Forks; Hobart, of Moody.

26. FEDERAL RELATIONS—

Roach, of Grand Forks; Ward, of Turner; Williams, of Burleigh; Miller, of Beadle; Martin, of Lawrence; Pickler, of Faulk; Barnes, of Kingsbury.

27. PUBLIC BUILDINGS—

Riddell, of Minnehaha; Huntington, of Day; McHugh, of Cavalier; Clark, of Aurora; Runkle, of McCook; Pierce, of Hamlin; Miller, of Beadle; Southwick, of Kingsbury; Van Osdel, of Yankton.

28. RULES:—

Blakemore, of Hyde; McHugh, of Cavalier; Pugh, of Dickey; Steele, of Kidder; Barnes, of Kingsbury; Riddell, of Minnehaha; Huston, of Douglas.

The following communication was then presented:

BISMARCK, January 19, 1885.

To the Honorable House of Representatives:

GENTLEMEN:

I would respectfully apply for the position of janitor for the hall and cloak rooms, or for such part of the capitol building as you may see fit to appoint me.

Very Respectfully,
Your Obedient Servant,
GEORGE WOOLWICH.

The above application is respectfully endorsed.

J. H. TELEER,
Secretary.

Mr. Martin moved

That F. W. McKinney be appointed clerk of the Judiciary committee.

Which was adopted.

NOTICES OF BILLS.

Mr. Sprague

Gave notice that he would on to-morrow or some subsequent day of this session, introduce a bill to allow Custer county to fund her outstanding indebtedness.

Also,

A bill for an act authorizing the county commissioners of Custer county to levy a ten mill tax for county general fund.

Also,

A bill for an act to make taxes a perpetual lien upon personal property, and a bill for an act to amend section 17, chapter 118 of Session Laws of 1881.

Mr. DeWoody

A bill for an act authorizing the county commissioners of Edmunds county to fund the outstanding indebtedness thereof.

Mr. Roach

A bill for an act appropriating funds for the construction of a Normal School at Larimore, Dakota, and for other purposes.

Also,

A bill for an act authorizing the commissioners of Nelson county, Dakota, to fund the outstanding indebtedness of said county.

Mr. Stevens

A bill for an act to legalize the assessment and levy of taxes of Griggs county, Dakota, for the year 1883, and to authorize and empower the treasurer of said county to collect the same.

Mr. Myron,

A bill for an act to prevent the sale of intoxicating liquors at any point or place within two miles of the Territorial University, in the city of Vermillion, county of Clay, Territory of Dakota.

Also,

A bill for an act to establish a public highway on the county line between Yankton, Clay and Turner counties.

Mr. Dawson,

A bill to amend section 1 of chapter 85 of the Session Laws of 1883, concerning live stock.

Also,

A bill to vacate the townsite of Meckling, Clay county, Dakota.

Mr. Eldredge,

A bill for an act entitled an act authorizing and empowering the county commissioners of Grant county to liquidate certain illegal taxes collected in 1882.

Mr. McCall,

A bill providing for an appeal from the county board to the territorial board of equalization.

Also,

A bill regulating the duration of sessions of the board of county commissioners of Lawrence county, and fixing the pay of its members.

H. W. Smith,

A bill entitled an act to prevent and suppress the spread of pleuro-pneumonia among cattle and contagious glanders among horses, mules and asses.

Also,

A bill for an act to amend section 73, of chapter 28, of the Political Code.

INTRODUCTION OF BILLS.

Mr, Steele asked and was granted unanimous consent to introduce

House Bill No. 18. A bill providing for the election of a postmaster for the House and Council.

Which was read the first time.

Also,

Moved that the rules be suspended, that the bill be considered engrossed, be read the second and third times and put upon its final passage.

Which motion was adopted.

The bill was then read the second and third times and put upon its final passage.

The roll being called, there were 36 votes in the affirmative and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hutchinson, Johnson, Larson, Myron, Miller. Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Gregg, Huntington, Hobart, Langan, Ruger, Swanton, Smith, Sprague, VanOsdel, Ward of Turner.

Mr. Helvig being absent.

So the bill passed and its title was agreed to.

Mr. DeWoody was granted unanimous consent to introduce

House Bill No. 19,

A bill for an act to provide for a thresher's lien on grain.

Which was read the first time.

Mr. Parshall,

House Bill No. 20,

A bill for an act appropriating funds for the construction of a Normal School building at Springfield, Bon Homme county. Dakota, and for other purposes.

Which was read the first time.

Mr. Williams moved

A suspension of the rules and that he be allowed to introduce a bill.

Ayes and nays demanded on the motion.

The roll being called there were 31 votes in the affiamative and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Miller, Martin, McCall, Morgan, Oliver, Pickler, Pierce, Pugh, Roach, Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Strong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Coe, Dawson, Larson, Langan, Myron, McCumber, McHugh, Parshall, Runkle, Riddell, Ruger, Swanton, Smith, VanOsdel, Ward of Turner.

Mr. Helvig not voting.

So the motion was lost, there not being a necessary two-thirds vote.

Mr. Martin introduced

House Bill No. 21,

A bill for an act to amend certain sections of part 2, chapter 13 of the Code of Civil Procedure. Subject, exemption.

Which was read the first time.

Mr. Miller introduced—

House Bill No. 22,

A bill for an act to regulate the names of towns, etc.,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 23,

A bill for an act authorizing the county of Morton to issue bonds for procuring ground and erecting thereon a court house and jail for the county of Morton.

Which was read the first time.

Mr. Swanton introduced—

House Bill No. 24,

A bill for an act to repeal chapter 8, Session Laws of 1883, entitled an act to create the office of Attorney General, provide for his appointment and to define his powers and duties, and for other purposes,

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 25,

A bill to change the boundary line of Richland county,

Which was read the first time.

Mr. Pickler introduced—
House Bill No. 26,
A bill for a Joint Resolution asking that a committee of 12 be appointed on apportionment.

SECOND READING OF HOUSE BILLS.

House Bill No. 8,
Introduced by Mr. Oliver,
A bill for an act relating to warehouses and the transportation of grain,

Was read.

Mr. Oliver asked unanimous consent to amend the bill by inserting before section 1 the words: "Be it enacted by the Legislative Assembly of the Territory of Dakota."

Which was granted.

And on motion,
The amendment was adopted.

Mr. Oliver moved
To refer the bill to the committee on Warehouses, Grain Grading and Dealing.

Which was adopted.

House Bill No. 9,
Introduced by Mr. Miller,
A Joint Resolution allowing each member to select seven daily papers during session,

Was read the second time,

Mr. Miller moved
The rules be suspended, the resolution be read the third time and put upon its final passage.

Which motion prevailed.
And the resolution was read the third time and put upon its final passage.
The roll being called there were 36 votes in the affirmative and 10 votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hutchinson, Johnson, Larson, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Gregg, Hobart, Martin, Langan, Runkle, Southwick, Sprague, Van Osdel, Mr. Speaker.

Absent and not voting:
Messrs. Helvig and Parshall.

So the bill passed and its title was agreed to.

House Bill No. 12,
Introduced by Mr. Blakemore,
A bill for an act to legalize the assessment of Hyde county for the year 1884, and authorizing the commissioners to equalize the same and to postpone time of delinquency,
Was read the second time.

Mr. Blakemore moved
That the rules be suspended, that the bill be read the third time and put upon its final passage.

Which motion prevailed.

Unanimous consent was given Mr. Blakemore to amend section 3 by adding after the words "June, 1885," the words "so far as relates to Hyde county."

And the bill was so amended.

The roll being called upon the final passage of the bill, there were 42 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Smith, Scott, Stewart, Williams.

Absent and not voting:
Messrs. Helvig and Pickler.

So the bill passed and its title was agreed to.

House Bill No. 13,

Introduced by Mr. Martin.

A bill for an act to amend section 218 of the Code of Civil Procedure.

Read the second time and referred to the committee on Judiciary.

House Bill No. 15,

Introduced by Mr. DeWoody,

A bill for an act relating to the foreclosure of chattel mortgages.

Read the second time and referred to the committee on Judiciary.

House Bill No. 16,

Introduced by Mr. Martin.

A bill for an act to amend section 339 of the Code of Civil Procedure.

Read the second time and referred to the committee on Judiciary.

Mr. Smith asked and was granted unanimous consent to withdraw

House Bill No. 17,

A resolution providing for the appointment of a postmaster for both Houses.

House Bill No. 14,

Introduced by Mr. DeWoody,

A bill for an act to define the boundaries of McPherson and Edmunds counties.

Read the second time and referred to the committee on Counties.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 8,

Introduced by Mr. Smedley,

An act to correct and define the boundary line between the counties of Grant and Roberts.

Was read the first time.

Mr. Williams asked unanimous consent to refer back to the order of business "consideration of messages from the Council.

Which was granted.

And the House then considered

Council amendment to

House Bill No. 1,

Being a joint resolution providing for the purchase of Codes for the use of the members of the Council and House, was,

On motion of Mr. Steele,
Concurred in.

Mr. Williams moved
That George Woolwich be appointed Janitor of the House by the Speaker.

Which motion prevailed.

And the Speaker thereupon appointed him Janitor of the hall and committee rooms of the House.

MESSAGES FROM THE COUNCIL.

The following messages were received from the Council:

BISMARCK, Jan. 20, 1885.

MR. SPEAKER:

I am instructed by the Council to inform you that the Council has this day passed

Council Bil No. 8,

Which is herewith transmitted and your favorable consideration requested.

A. W. HOWARD,
Chief Clerk.

BISMARCK, Jan. 19, 1885.

MR. SPEAKER:

I am instructed by the Council to inform the House that they have had

House Bill No. 1

Under consideration, and respectfully ask to substitute an amendment, which is herewith enclosed.

All of which is respectfully submitted.

A. W. Howard,
Chief Clerk.

BISMARCK, Jan. 20, 1885.

MR. SPEAKER:

I am instructed by the Council to inform the House that they have this day passed
Council Bill No. 12,
An act relating to the World's Industrial Exposition at New Orleans.
Which is herewith transmitted and your favorable consideration requested.

A. W. Howard,
Chief Clerk.

Mr. Miller moved
To adjourn.

Mr. Johnson moved
That the House adjourn until to-morrow at 2 o'clock p. m.

Motion withdrawn and Mr. Miller's motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

NINTH DAY.

BISMARCK, Wednesday, Jan. 21, 1885.

The House assembled at 11 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Mr. McCall absent.

Quorum present.

Mr. McCall reported present.

The Journal of preceding day read,
And on the suggestion of the Speaker
Its approval was postponed for a day to compare the committees with his official list, so as to correct any errors.

Mr. Smith presented the following communication:

To the Speaker of the House, Hon. Geo. Rice:

HON. SIR: I would respectfully ask that you would grant me any position yet unfilled that is within your gift, such as janitor, mail carrier, etc. I have been temporarily employed in the building, but am at present unemployed, pending the action of the several houses in making their appointments. I served four years in the Fifth Wisconsin Volunteers, Company C, (from 1861 to 1865) from which I have an honorable discharge. I was wounded twice, and draw a pension of $4 per month and have a family of six to support. If you can consistently do me the favor I shall make an earnest effort to give satisfaction. Can give recommendations when desired. Trusting that you will take favorable action,

I am, yours most respectfully,
JOSEPH THEFAULT.

Which was referred to committee on Public Buildings.

Mr. Barnes, chairman of the special committee on Elections and Privileges, presented the majority report, viz:

MR. SPEAKER:

Your committee on Elections, to whom was referred the case of T. G. Anderson against E. T. Hutchinson, have instructed me by majority vote to report as follows:

That in pursuance of instructions from the House, the committee have examined into the returns, papers, testimony on file, and return of the sheriff, and have also examined all the witnesses present, and have arrived at the following conclusions:

That the service made by the sheriff, of notice of contest, was as complete as the circumstances permitted, the contestee purposely avoiding personal service. That due and diligent search was made by said sheriff for contestee and he was unable to find him, and was unable to serve such notice by leaving same with a member of said Hutchinson's family, for the reason that said Hutchinson caused the absence of said family and forbade return until time for service of said notice expired. That said notice came into the hands of said sheriff on the last day provided by law for service, a fact reasonably accounted for by contestant. That said sheriff left said notice under the door of contestee's house, having gone to such house twice and found the doors locked. That said sheriff returns that he was informed by a brother-in-law of contestee, that said Hutchinson had "lit out" in pursuance of telegraphic suggestion, which statement contestee desires time to disprove. That said Hutchinson had actual knowledge of the pendency of such contest, in due time, and that due personal service was made upon him of the notice of taking the depositions thereafter duly taken in said case, and that said Hutchinson was personally present at a time when the taking of said deposition was in progress, though probably under instructions of counsel he did not make an intentional appearance in the case, and did not at any time prior to the session of the Legislature.

That according to the returns for Nelson county in said Legislative District in the office of the Secretary of the Territory, 198 votes were cast for T. G. Anderson and 227 votes for T. J. Anderson. That the County Clerk of said Nelson county returned to the Legislative Canvassing Board 317 votes cast in said county as "scattering," which 317 votes appear to include the above mentioned 227 votes cast for T. J. Anderson. That said returns made and filed in the Secretary's office appear to give evidence on their face of erasures and alterations decreasing the number of votes originally written therein as belonging to said T. G. Anderson. That no person named T. J. Anderson stood as a candidate before the people at said election, and no person of such name has been shown to have any existence in said district, and the evidence tends to show that no person of the name ofAnderson, other than said T. G. Anderson, was a candidate for the Legislature in said Eleventh District, or received any votes therein. That the said votes cast for T. G. and T. J. Anderson were cast for the same person, and that said T. G. and T. J. Anderson are identical, and that it was the intention of the voters at such election to cast the ballots above specified for said T. G. Anderson and no other. That said T. G. Anderson in fact received a majority of 201 votes in said Eleventh District, in accordance with the less favorable showing made by said returns as erased and altered.

To insist that in this case the House can not ascertain the voters' intent; and that the ballots for T. J. Anderson can not under the evidence be held to have been intended for T. G. Anderson, would sacrifice justice in the case. Your committee are of the opinion that neither the law nor equity in the case demands any such sacrifice. The House should not be confined, in any event, within the narrow limits prescribed by the rules governing canvassing officers in the discharge of ministerial duties. It possesses the powers of a court of law, and the functions of a court of equity, and effect should be given to the intention of the electors in the expressien of the popular will, and no arbitrary rule should permit a technicality without a corresponding benefit, to have any other operation. Such seems to be the law as laid down in the authorities.

The committee further report that no general appearance was made for contestee in the case until after the overruling of the motion to dismiss the complaint as insufficient. Contestee claims that the House has no jurisdiction for want of service. A general appearance was made by the defense in the cross-examination of the contestant's witnesses, who appeared personally before the committee. An adjournment of the committee was had to a time set by contestee's attorney for the purpose of filing an answer. Such time was extended, and no answer was filed, but counsel for contestee gave notice of his intention to file such answer making general denial and setting up counter charges, and asked for time to produce the testimony of a witness now in Illinois, and other witnesses, to rebut the Sheriff's return, and for the privilege of producing the necessary witnesses to sustain the allegations of the answer. This report covers the entire case as reported and all within the present province of the committee. Said answer is hereto attached.

From the evidence in the case we believe that T. G. Anderson is entitled to a seat as a member of this House.

Dated January 21, 1885.

V. V. BARNES,
E. B. DAWSON,
A. L. VANOSDEL,
C. E. HUSTON,
GEO. W. PIERCE.

Eleventh Legislative District, counties of Grand Forks, Traill, Nelson and Steele, Territory of Dakota.

In the matter of the Legislative contest of

T. G. Anderson
Against
E. T. Hutchinson.
} Answer.

The contestee, E. T. Hutchinson, for answer to the notice of contestant herein.

FIRST.

Without waiving any objection made in this case as to non-service as to insufficiency and of notice, this contestee alleges the following facts constituting his defense. He denies each and every allegation of the notice of contest and each and every allegation contained therein.

SECOND.

For a second and further answer and defense, the contestee alleges that adjoining or lying near to the precinct of Lakota, there are several unorganized towns; that said towns were allowed to vote at Lakota, without right; that these votes amounted to 100, and were all cast against this contestee and in favor of contestant.

That at the said Lakota precinct, one hundred and seventy-five non-residents were allowed to vote, that said non-residents had no right to vote at said precinct and were not legal and qualified voters in said precinct or within the county of Nelson; that said one hundred non-residents voted for contestant and against contestee.

That by reason of the specific frauds and irregularities above set forth, this contestee was defrauded out of a large number of votes and his majority reduced; that if said illegal votes had not been cast as aforesaid, this contestee would have received a much larger majority than was given him by the canvassing board named in the notice.

THIRD.

This contestee alleges that in said district the votes cast for T. J. Anderson were intended for him, said T. J. Anderson, and not for T. G. Anderson. That in said district eleven or twelve candidates were running for office of member of the lower house of the territorial legislature, and that this contestee received at the general election of 1884, a plurality of the legal votes cast in said district, over any other candidate, and was duly elected.

Wherefore, contestee asks first that he be allowed to substantiate his answer herein by proper proof and that he have judgment in the case for possession of his seat.

E. T. HUTCHINSON,
By A. B. MELVILLE,
His Attorney.

And Mr. McCumber the minority report, viz:

MR. SPEAKER:

The minority of your committee to whom was referred the contest case of Anderson vs. Hutchinson, feeling that they cannot conscientiously endorse all the statements as set forth by the majority, beg leave to report:

That they can not find as a fact that the sheriff used diligence in the service of notice on Hutchinson, nor can they find as a fact that said Hutchinson purposely avoided service, but on the contrary, they do find that there was no legal service of notice; that there being no service in law, the contestee was justified in not making an appearance in the case, or taking part in the examination of witnesses, though served with notice of taking deposition. We do further report and recommend that the contestee be allowed to present his case, notwithstanding the want of a proper service, and in consideration of the courtesy thus extended to him, that the contestee do also have an opportunity of presenting his case. We further report that all the evidence thus far considered has been adduced on the part of the contestant, and that inasmuch as the contestee claims that he can disprove the facts as alleged by contestant, justice would demand that contestee be heard.

We therefore recommend that we be instructed to take such evidence as the contestant may submit, and report the facts from the conclusions to be derived from the evidence of both sides.

P. J. McCUMBER.
HENRY W. COE.

Mr. Steele moved
That the resolution which prevailed in the case of
Bechtel vs. Stong,
Prevail in the case of
Anderson vs. Hutchinson.

Mr. Southwick moved
To adjourn.

Mr. Pickler moved
That when the House adjourn, it adjourn to meet at 2 o'clock p. m.

Which motion was lost.

The ayes and nays were then demanded on the original motion to adjourn.

Mr. Williams suggested that members whose seats were contested, be excused from voting.

To which Mr. Pickler objected.

The roll being called on the original motion, there were 24 votes in the affirmative and 22 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Johnson, Langan, McCumber, Morgan, McHugh, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Williams, Ward of Brule, and Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Hutchinson and McCall.

So the motion prevailed and the House

Adjourned.

CASSIUS M. REED,
Chief Clerk.

TENTH DAY.

BISMARCK, Thursday, January 22, 1885.

The House assembled at 11 o'clock a. m.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present.

Mr. McCall excused from absence at roll call yesterday.

Journal read and approved.

The following communication was read and referred to the committee on Public Buildings:

BISMARCK, Jan. 22, 1885.

To the Speaker of the House, Hon. Geo. Rice, and Members:

I would respectfully ask that your honorable body appoint me janitor of your room and the committee room in connection therewith. I have served as such since the beginning of the term and desire to be regularly appointed to the position.

Very respectfully,
JAMES SIEPS.

Mr. Martin, as chairman of the Judiciary committee, presented the following reports:

BISMARCK, Jan. 22, 1885.

MR. SPEAKER:

The Judiciary committee have considered

House Bill No. 13.

Entitled an act to amend section 218 of the Code of Civil Procedure,

And beg leave to report favorably upon the said bill and recommend its passage by this House.

EBEN W. MARTIN,
Chairman.

BISMARCK, Jan. 22, 1885.

MR. SPEAKER:

The Judiciary committee have considered

House Bill No. 16,

Entitled an act to amend section 339 of the Code of Civil Procedure.

And respectfully report as follows:

They recommend that the said bill be amended by striking out the word "three" where it appears in the said bill, and insert instead thereof the word "ten." Your committee further recommend that the said

House Bill No. 16,

When so amended, be passed by this House.

EBEN W. MARTIN,
Chairman.

Mr. Pickler, as chairman of the committee on Appropriations, presented the following report:

MR. SPEAKER:

Your committee on Appropriations beg leave to submit:

That they have had under consideration

House Bill No. 4,

Being an act relating to the World's Industrial and Cotton Centennial Exposition at New Orleans, Louisiana,

And recommend that it do pass.

J. A. PICKLER,
Chairman.

Mr. Barnes, as chairmain of the Enrolling and Engrossing committee, presented the following:

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills ask leave to report that they have examined

House Bill No, 1,

Entitled a joint resolution to authorize the purchase of Codes and Session Laws for the use of the Legislature,

And find the same correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

Dated January 21, 1885.

Mr. Ward, as chairman of the committee on Counties, the following:

MR. SPEAKER:

Your committee on Counties ask leave to report that they have examined

House Bill No. 14,

Entitled an act to define the boundaries of McPherson ane Edmunds counties,

And recommend that it be considered engrossed and put upon its final passage.

MARK WARD,
Chairman.

Mr. Steele moved

That Rule 45 be amended so as to admit newspaper reporters upon presentation of a ticket signed by the Speaker.

Which motion prevailed.

Mr. Pickler moved

That the committee on Education be requested to examine and report what action they may deem necessary that this Legislature should take to secure school lands in lieu of those occupied by settlers before survey.

Which motion prevailed.

Mr. Eldredge moved

That Rule 22 be and the same is hereby repealed, Which, on motion of Mr. McHugh, was referred to the committee on Rules.

NOTICE OF BILLS.

Mr. Eldredge

Gave notice that on Thursday, or some subsequent day, he would introduce a bill entitled an act to assess chattel mortgages for county and territorial purposes, and for the levy and collection of the tax thereon.

Mr. Smith,

A bill for an act in relation to depositing dead animals, offal or refuse matter upon the banks or in the water of any stream, lake or other standing or running water.

Mr. McCumber,

An act extending the time in which the taxes in Sargent county for the year 1884 shall become delinquent.

Also,

A bill entitled an act to compel railroad corporations to receive and transport grain without unnecessary delay, and for other purposes.

Also,

A bill for an act changing the time in which taxes in this Territory shall become delinquent.

Mr. Van Osdel

A bill for an act to amend chapter 3, Session Laws of 1883.

Mr. Gregg

A bill for an act appropriating funds for the Normal School at Spearfish, Dakota.

Mr. Helvig

A bill for an act to amend section 74, chapter 59 of Session Laws of 1879, relating to building bridges under township organization.

Also,

A bill for an act to amend section 12, chapter 112, Session Laws of 1883, relating to the age of persons liable to road work.

Also,

A bill for an act to amend section 21, chapter 112, Session Laws of 1883, in relation to the number of hours required for a day's work on highways.

Mr. Ruger,

A bill for an act to restore in part the former boundary lines of Ramsey county.

Also,

A bill for an act to allow Ramsey county to fund her outstanding indebtedness.

Mr. Ward of Turner,

A Memorial to Congress, asking aid in the erection of a National Homestead monument.

Mr. Stewart,

A bill for an act appropriating funds for the erection and maintenance of a Normal School at Minto, in Walsh county.

Mr. Hutchinson,

A bill for an act to change and define the boundaries of Nelson county.

Also,

A bill for an act to create Nelson county as a legal subdivision, and providing for a term of the district court therein.

Also,

A bill for an act to insure the better education of dental surgeons, and to regulate the practice of dentistry in the Territory of Dakota.

Mr. Miller,

A bill for an act entitled an act for receiving, carrying and delivering of grain.

Mr. Johnson,

A bill for an act to abolish the Board of County Commissioners and substitute in its place county Boards of Supervisors.

Mr. Morgan,

A bill for an act to vacate the townsite of Belmont, in Traill county, Dakota.

Mr. Coe,

A bill entitled an act to amend chapter 34, Session Laws of 1881.

Mr. Myron,

A bill for an act to amend section 47, chapter 27 of the Political Code, entitled "Elections."

Mr. Blakemore asked and was given unanimous consent to take up the

Report of the committee on Enrolled and Engrossed Bills, and,

On motion the report was adopted.

INTRODUCTION OF BILLS.

Mr. Martin introduced—

House Bill No. 27. A bill for an act providing for the recording of the official bonds of civil officers.

Which was read the first time.

Mr. Southwick introduced—

House Bill No. 28. A bill for an act for the assessment of, levy and collection of taxes upon the property of railroads and telegraph companies in this Territory.

Which was read the first time.

Mr. Eldredge introduced—

House Bill No. 29. A bill for an act authorizing and empowering the county commissioners of Grant county to liquidate certain illegal taxes collected for 1882.

Which was read the first time.

Mr. Dawson introduced—

House Bill No. 30. A bill for an act to amend section 1. of chapter 85, of the Session Laws of 1883, concerning live stock.

Which was read the first time.

Mr. Coe introduced—

House Bill No. 31. A bill for an act concerning actions and proceedings originally brought in the Third Judicial District of Dakota Territory, in the counties or sub-divisions now included in the Sixth Judicial District of said Territory, and the jurisdiction thereof since the creation of said Sixth Judicial District.

Which was read the first time.

Mr. Huntington introduced—

House Bill No. 32. A bill for an act to authorize the county commissioners of Day county to fund the outstanding indebtedness thereof.

Which was read the first time.

Mr. Smith introduced—

House Bill No. 33. A act to amend section 73, of chapter 28, of the Political Code.

Which was read the first time.

Also,

House Bill No. 34. A bill for an act to prevent and suppress the spread of pleuro-pneumonia among cattle and contagious and infectious glanders among horses, mules and asses.

Which was read the first time.

Mr. Stevens introduced—

House Bill No. 35. A bill for an act to legalize the assessment and levy of taxes of Giggs county in the Territory of Dakota for the year 1883, and to authorize the Treasurer of said county to collect the same.

Which was read the first time.

Mr. Williams asked and was granted unanimous consent to introduce

House Bill No. 36. A memorial to Congress for the passage of the Mexican war pension bill.

Which was read the first time.

Mr. Williams moved

That the rules be suspended, that the bill be read the second and third time and put upon its final passage.

The Speaker called Mr. Dawson to the chair and moved to amend by striking out the word Bismarck where it occurs in the memorial amendment.

Which motion prevailed.

And the memorial was read the second and third times and put upon its final passage.

The roll being called there were 48 votes in the affirmaand no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Strong, VanOsdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the memorial passed.

Mr. Wllliams introduced—

House Bill No. 37. A bill for an act creating the county of Colton, defining its boundaries and for other purposes.

Which was read the first time.

Mr. Huntington introduced—

House Bill No. 38. A bill for an act entitled an act to incorporate the village of Webster.

Which was read the first time.

Mr. Smith introduced—

House Bill No. 39. A bill for a joint resolution for the appointment of a committee.

Which was read the first time.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 12,

Introduced by Mr. Pettigrew.

A bill for an act relating to the World's Industrial and Cotton Centennial Exposition at New Orleans, Louisiana.

Was read the first time.

Mr. Pickler asked unanimous consent to suspend the rules and read the bill the second time.

Mr. McCumber objected.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 8,

Introduced by Mr. Smedley,

Read, and on motion of Mr. Eldredge, was referred to the committee on Counties.

SECOND READING OF HOUSE BILLS.

Mr. Pickler moved to amend

House Bill No. 7. A bill to re-locate the capital of the Territory of Dakota.

Mr. Williams moved

To lay the amendments on the table.

The ayes and nays were demanded.

The roll being called, there were 21 votes in the affirmative and 27 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Coe, DeWoody, Eldredge, Huston, Helvig, Johnson, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Van Osdel, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Huntington, Hobart, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Stong, Ward of Turner, Mr. Speaker.

So the motion to lay on the table was lost.

Mr. Pickler moved.
That the amendments to
House Bill No. 7
Be adopted.

Mr. Williams moved

That they be referred to a Special Committee consisting of one from each Legislative District.

Mr. Pickler moved
To lay the motion to refer on the table.

The ayes and nays were demanded.

The roll being called there were 34 votes in the affirmative and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Huntington, Huston, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart.

So the motion to lay on the table was carried.

Mr. Williams moved
To reconsider the vote by which the motion was tabled.

Mr. Pickler moved
To lay the motion to reconsider on the table.

The roll being called there were 36 votes in the affirmative and 12 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle,

Riddell, Ruger, Southwick, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Steele, Stevens, Stebbins, Scott, Stewart, Williams,

So the motion to lay on the table was carried.

Mr. Williams moved

To refer the bill and amendments to appropriate committee.

Which motion was lost.

Mr. Williams moved

That the bill and amendments be indefinitely postponed.

Mr. Martin moved

The previous question.

Mr. Steele moved

To adjourn.

The ayes and nays were demanded.

The roll being called there were 11 votes in the affirmative and 37 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Steele, Stebbins, Scott, Stewart, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

So the motion was lost.

Mr. Huntington moved

That when the House adjourn, it adjourn to meet at 3 o'clock p. m. to-morrow.

Mr. Barnes moved

To amend by substituting 2 o'clock p. m.

The ayes and nays were demanded.

The roll being called, there were 31 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Coe, DeWoody, Eldredge, Huntington, Johnson, Langan, McCumber, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Williams.

Absent and not voting:
Messrs. McHugh and Oliver.

So the motion was carried.

Before the vote was announced,
Mr. Williams moved
A call of the House.

Mr. Pickler moved
That further proceedings under the call be dispensed with.

The ayes and nays were demanded.

The roll being called, there were 37 votes in the affirmative, and 8 in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. McCumber, Morgan, Pugh, Steele, Stevens, Stebbins, Scott, Stewart.

Absent and not voting:
Messrs. DeWoody, McHugh, Oliver.

So the motion prevailed.

Mr. Steele moved
To adjourn.

The ayes and nays were demanded.

The roll being called, there were 3 votes in the affirmative, and 43 votes in the negative, viz:

Those who voted in the affirmative ware:

Messrs. Steele, Stebbins, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McHugh, Oliver.

So the motion to adjourn was lost.

The motion to indefinitely postpone the consideration of the bill and amendments was lost.

Mr. Williams moved

To adjourn.

The roll being called, there were 5 votes in the affirmative, and 40 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Steele, Stebbins, Scott, Stewart, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McHugh, Oliver, Runkle.

So the motion to adjourn was lost.

On the motion to adopt amendments to the bill,

The ayes and nays were demanded.

The roll being called, there were 35 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Ruger, Southwick, Swanton, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Coe, McCumber, Morgan, Pugh, Roach, Steele, Stevens, Stebbins, Scott, Stewart:

Mr. Coe explaining his vote.

Absent and not voting:

Messrs. McHugh, Oliver, Runkle.

So the motion prevailed.

And the amendments were adopted.

Mr. Pickler moved.

That the bill as amended be referred to the committee on Enrolled and Engrossed Bill with instructions to report at our next session.

Mr. Martin moved

To amend by substituting "at our next meeting to-morrow."

Amendment carried and the bill so referred.

On motion of Mr. Huntington

The House adjourned until 2 o'clock p. m., January 23, 1885.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

ELEVENTH DAY.

BISMARCK, Friday, Jan. 23, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Quorum present.

The following members were absent, but all reported present soon after:

Messrs. Barnes, Blakemore, Coe, Larson, Langan, Myron, McCumber, Parshall, Pugh, Swanton, Smith, Stebbins.

On motion of Mr. DeWoody

The privileges or a seat on the floor were extended Hon. C. L. Pratt.

Mr. Stewart was temporarily excused, he being a witness before the Council in the contest case of Wilson vs. LaMoure.

M. W. Sullivan was appointed Assistant Sergeant-at-Arms of the House by the Speaker, and sworn.

Mr. Pickler
Gave notice of a motion to reconsider the vote by which
House Bill No. 7
And the amendments thereto were referred to the committee on Enrolled and Engrossed Bills.

The Speaker gave notice of his signature to
House Bill No. 1.

Mr. Riddell presented the following reports:

MR. SPEAKER:

Your committee on Public Buildings, to whom was referred the communication of Joseph Thefault, respectfully recommend that said communication lie on the table.

W. H. RIDDELL,
Chairman.
E. HUNTINGTON,
M. L. MILLER,
H. M. CLARK,
GEO. W. PIERCE,
P. MCHUGH,
A. L. VAN OSDEL,
P. L. RUNKLE,
JOHN C. SOUTHWICK,
Committee.

Mr. Johnson moved
Its acceptance and adoption.

Which motion prevailed.

MR. SPEAKER:

Your committee on Public Buildings, to whom was referred the communication of James Seips, respectfully recommend that said James Seips be employed as janitor of this room and the adjoining cloak rooms, also committee rooms at a compensation of two dollars per day.

W. H. RIDDELL,
Chairman.
E. HUNTINGTON,
M. L. MILLER,
H. M. CLARK,
P. MCHUGH,
GEO. W. PIERCE,
A. L. VAN OSDEL,
P. L. RUNKLE,
JOHN C. SOUTHWICK,
Committee.

Mr. Blakemore moved

The acceptance and adoption of the report.

Which motion prevailed.

Mr. Barnes presented the following reports:

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills, beg leave to report that they have examined and compared

House Bill No. 7,

Entitled an act to relocate the capital of the Territory of Dakota,

And find the same properly engrossed.

Dated, January 23, 1885.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Elections, to whom was referred the contest case of Anderson vs. Hutchinson, have instructed me to make a supplemental report in said case as follows: That in reference to the allegations of that division of the contestee's answer mentioned "second," a certified copy of the election returns of Lakota precinct therein named, shows that at the election in question, two (2) votes were cast for T. J. Anderson and two hundred and eighty-seven (287) votes for E. T. Hutchinson. Said returns indicate no votes cast for T. G. Anderson except it be under the name of T. J. Anderson as aforesaid. Said returns also show that the total vote of said Lakota precinct for member of the

House of the Legislative Assembly is two hundred and ninety-four (294).

V. V. BARNES,
C. E. HUSTON,
E. B. DAWSON,
A. L. VAN OSDEL,
P. J. MCCUMBER,
GEO. W. PIERCE,
HENRY W. COE.

NOTICE OF BILLS.

Mr. Dawson gave notice

That he would on to-morrow or some subsequent day of the session, introduce a bill to amend chapter 75, Session Laws of 1883, concerning land drainage.

Mr. Pugh,

A bill for an act to revive and re-enact chapter 4, Session Laws of 1883, entitled an act to locate and establish the North Dakota Agricultural College, approved March 9, 1883.

Also,

A bill for an act making appropriation for the purpose of constructing and furnishing a building for the North Dakota Agricultural College at Fargo, in said Territory.

Mr. Runkle,

A bill for locating and building an asylum for the blind at Salem, in the county of McCook, Territory of Dakota.

Mr. Coe was granted unanimous consent to introduce

House Bill No. 40

As a substitute for

House Bill No. 31.

Mr. Sprague was granted unanimous consent and introduced—

House Bill No. 47. A bill for an act to amend section 17, chapter 28 of the Political Code; subject, Revenue.

Also,

Council Bill No. 12. A bill for an act relating to the World's Industrial and Cotton Centennial Exposition at New Orleans, Louisiana,

Was read the second time and referred to the committee on Appropriations.

Mr. Martin moved

That the committee on Appropriations be requested to ascertain and report as nearly as possible a statement of what has been expended by the Commissioners of Dakota in relation to the New Orleans Exposition, exhibiting items so far as practicable.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

The following message was received from the Council:

BISMARCK, Jan. 23, 1885.

MR. SPEAKER:

I have the honor to return herewith House Bill No. 9, a Joint Resolution providing for furnishing newspapers to members of the House and Council, with the information that the Council refuses to concur therein.

I also transmit herewith Council Bill No. 10, a Memorial to Congress relative to the price of lands within railway grants.

Also,

Council Bill No. 62. A Joint Resolution relating to the procuring of coal for use in the Capitol, to both of which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Coe introduced—

House Bill No. 40 as a substitute for Bill No. 31,

Which was read the first time,

And by unanimous consent was read the second time and referred to the committee on Judiciary.

Mr. Sprague introduced—

House Bill No. 41. A bill for an act authorizing Board of County Commissioners of Custer county to levy a 10 mill tax.

Mr. McCumber introduced—

House Bill No. 42. A bill for an act extending the time in which taxes in Sargent county for 1884 shall become delinquent.

Which was read the first time.

Also,

House Bill No. 43. A bill for an act changing the time in which taxes in this Territory shall become due,

Which was read the first time.

Mr. Helvig introduced—

House Bill No. 44. A bill for an act to amend section 74, chapter 59, Session Laws of 1879, relating to building bridges under township organization,

Which was read the first time.

Mr. Myron introduced—

House Bill No. 45. A bill for an act to amend section 47, chapter 27, Political Code, entitled "Elections,"

Which was read the first time.

Also,

House Bill No. 46. A bill for an act to establish a public highway on the county line between the counties of Yankton, Turner and Clay,

Which was read the first time.

Mr. Gregg introduced—

House Bill No. 48. A bill for an act appropriating funds for the Territorial Normal School at Spearfish, Dakota.

SECOND READING OF HOUSE BILLS.

House Bill No. 19,

Read the second time and referred to the committee on Judiciary.

House Bill No. 20,

Read the second time and referred to the committee on Appropriations.

House Bill No. 21,

Read the second time and referred to the committee on Judiciary.

House Bill No. 22,

Read the second time and referred to the committee on Railroads.

The reading at length of

House Bill No. 23,

Was, on motion of Mr. Williams, dispensed with, and read by its title only and referred to the committee on Ways and Means.

House Bill No. 24,

Read the second time and referred to the committee on Judiciary.

House Bill No. 25,

Read the second time and referred to the committee on Counties.

House Bill No. 26,
Was read the second time.

Mr. Pickler moved
That the rules be suspended and that
House Bill No. 26,
Be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called upon the final passage of the bill, there were 47 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Stewart not voting.

So the bill passed and its title was agreed to.

House Bill No. 27,
Read the second time and referred to the committee on Judiciary.

House Bill No. 28,
Read the second time and referred to the committee on Railroads.

House Bill No. 29,
Read the second time.

Mr. Eldredge moved
For a suspension of the rules and that the bill be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called there were 46 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutcinson, Johnson, Larson. Langan, Myron, Miller, Martin, MCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward, of Brule, Mr. Speaker.

Mr. Stebbins voting in the negative.

Absent and not voting:

Mr. Pugh.

So the bill passed and its title was agreed to.

House Bill No. 30,

Read the second time and referred to the committee on Agriculture.

Mr. Pickler asked and was granted unanimous consent to report as follows:

MR. SPEAKER:

Your committee on Appropriations submit that they have had under consideration

Council Bill No. 12,

Relating to an appropriation for the New Orleans Exposition,

And append to this report a detailed statement as to expenditures of the Commissioner to this date, as by resolution of this House required, and recommend that the bill do pass.

J. A. PICKLER,
Chairman.

To the Chairman of the Committee on Appropriations:

The moneys expended for Dakota's exhibit at New Orleans, as nearly as we can estimate without actual full reports from all the deputies that have been entrusted with the expenditure of money, is as follows:

For collecting and paying for South Dakota products.................................$	4,500 00
For collecting and paying for North Dakota products................................	4,500 00
For Indian goods and curiosities.............	900 00
For stuffed animals and birds................	700 00
For collecting and transporting petrifactions..	300 00
For Dakota History and Description, prepared by Governor Pierce..........................	1,500 00

For material used in mounting and decorating exhibit at New Orleans....................	3,500 00
For salary and expenses of men at New Orleans	2,430 00
Total....................................	$18,330 00

On motion, Council Bill No. 12 was then read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Thore who voted in the negative were:

Messrs. Myron, McCumber, Oliver, Southwick, Stebbins.

Absent and not voting:

Mr. Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 32

Was read the second time.

Mr. Johnson moved

That the rules be suspended, that the bill be read the third time, and put upon its final passage.

Which motion prevailed.

Unanimous consent was given Mr. Blakemore to amend the bill so as to include Day and Hyde counties.

The roll being called, there were 40 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Sprague, Stebbins, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron, Swanton, Smith, Stewart, Van Osdel.

Absent and not voting:

Messrs. Parshall, Stevens, Scott.

So the bill passed and its title was agreed to.

House Bill No. 33

Read the second time and referred to the committee on Judiciary.

House Bill No. 34

Read the second time and referred to the committee on Agriculture.

House Bill No. 35

Read the second time and referred to the committee on Judiciary.

House Bill No. 37

Read the second time and referred to the committee on Counties.

House Bill No. 38

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 39

Read the second time, and on motion, the rules were suspended, the bill read a third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Morgan, McHugh, Oliver, Parshall, Stevens.

So the bill passed and its title was agreed to.

Mr. Martin, by unanimous consent, moved

That the majority report of the committee upon the election contest of T. G. Anderson vs. E. T. Hutchinson be adopted, and the contestant, T. G. Anderson, be declared entitled to his seat in the House, unless the contestee, E.

T. Hutchinson, shall prepare and file a verified answer before noon of January 24th, 1885, in which case a period of five days from this date shall be allowed the parties in which to secure the attendance of witnesses and testimony, the expense of procuring witnesses or testimony, to be paid by the person for whose benefit it is is procured.

House Bill No. 40,
A substitute for
House Bill No. 31,
Read the second time and referred to the committee on Judiciary.

Mr. Williams asked unanimous consent to refer back to first reading of Council bills, and

Council Bill No. 10,

Being a joint resolution and memorial to Congress referring to double minimum lands.

Was read and the rules suspended, read the second and third times, and put upon its final passage.

The roll being called there were 44 votes in the affirmative and no votes in negative, viz:

Those who voted the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Southwick, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Hutchinson, Langan, Stevens.

So the memorial passed and its title was agreed to.

Mr. Miller was granted leave of absence until Tuesday next.

On motion of Mr. Gregg the House
Adjourned.

CASSIUS M. REED,
Chief Clerk.

TWELFTH DAY.

BISMARCK, Saturday, January 24, 1885.

The House assembled at 11 o'clock a. m.
The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present.

On motion of Mr. Oliver
The reading of the Journal of the preceding day was dispensed with.

The following communications were read:

BISMARCK, Dak., Jan. 23, 1885.

To the Honorable House of Representatives:

The subscriber would respectfully ask your honorable body for the appointment of superintendent of the Capitol building and grounds. I have occupied the position during the past six months by appointment from the Capital Commission and would refer to my work during that time as evidence that I am qualified to fill the place. I would further represent that having been injured during my work on the building I feel that I have a further claim on your consideration.

Very Respectfully,

DAVID O'NEIL.

Referred to committee on Public Buildings.

WILMOT, Dak., Jan. 19, 1885.

Mr. Ole P. Helviq, Bismarck, D. T.:

DEAR SIR,—You will perhaps be somewhat surprised at receiving this from a complete stranger, but I see from my paper from Blooming Prairie, Minn., that you are a brother of Thomas Helvig, with whom I am well acquainted. My request of you, though, is of a political nature. We are, or have been, having a little trouble over the locating of our county seat, but it is now permanently located at this place. But the townsite speculators at Travare, in this county, are about to attempt to legislate us out of our right by having our county again divided, and placing us again in Grant county. This we object to on the grounds that it would defeat the wishes of almost the entire population of our county. Out of 645 votes cast for the county seat November 4, 1884, Wilmot received 447 votes; but the canvassing board, all of whom are interested in the townsite of Travare, illegally threw out the returns of the two largest townships in the county, and declared the county seat at Travare, Travare is located about one-half mile from the Minnesota State line, and about one mile from Brown's Valley; and besides there is nothing there but four or five buildings, besides the court house. But we do not depend on the unimportance or weakness of Travare to sustain our views; nor that Travare is owned by townsite speculators, but upon the one main fact that Wilmot did receive the requisite vote to permanently locate the county seat here.

Now, on behalf of a large majority of the voters of Roberts county, I ask you to do what you can, candidly and honestly, to prevent any unjust legislation which would deprive them of the fruits of their labor and expenditure of money in this affair. We have worked hard and patiently and honestly to carry out the will of the people, and certainly hope and trust that no Dakota Legislature will deprive us of our rights.

I am, truly yours,

A. G. INGERSOLL.

REPORTS OF STANDING CONMITTEES.

MR. SPEAKER:

Your committee on Rules recommend that Rule 22 of rules adopted by this body, be amended to read as follows: "Every bill and joint resolution shall be introduced on the report of a committee, or on a call for bills and joint resolutions, or by a motion for leave."

JOHN T. BLAKEMORE,
W. H. RIDDELL,
P. MCHUGH,
V. V. BARNES,
T. M. PUGH,
W. F. STEELE,
C. E. HUSTON.

MR. SPEAKER:

Your chairman of the committee on Engrossed and Enrolled Bills, beg leave to report that on this 23d day of January, 1885, at five (5) o'clock p. m., he has handed to His Excellency, the Governor, for his approval,

House Bill No, 1,

Entitled a Joint Resolution to purchase Codes and Session Laws for the use of the Legislature.

Dated January 23, 1885.

V. V. BARNES,
Chairman.

Mr. Smith moved

That Rule 53 be amended so as to read 10 o'clock instead of 11 o'clock.

Which motion was lost.

Mr. Martin moved

That the committee on printing look after the printing of bills.

Which motion prevailed.

Mr. Smith moved

A reconsideration of the vote by which the motion to amend rule 53 was lost.

Which motion was lost.

Mr. Smith moved

That the committee on rules be requested to inquire into the propriety of changing rule 53, changing the hours of meeting from 11 to 10 o'clock.

The ayes and nays were demanded.

The roll being called, there were 26 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Huntington, Helvig, Hutchinson, Larson, Myron, Miller, McCumber, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Eldredge, Gregg, Huston, Hobart, Johnson, Langan, Martin, McCall, Morgan, Oliver, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Stong, Williams, Ward of Brule.

Absent and not voting:
Mr. Dawson.

So the motion prevailed.

INTRODUCTION OF BILLS.

Mr. Coe introduced—
House Bill No. 49. A bill for an act to amend chapter 34 of Session Laws of 1881,

Which was read the first time.

Mr. Martin introduced—
House Bill No. 50. A bill for an act to amend chapter 38, Political Code, by adding section 20.

Which was read the first time.

Also,
House Bill No. 51. A bill for an act to amend section 655, chapter 31, Code of Civil Procedure.

Which was read the first time.

Also,
House Bill No. 52. A bill for an act to amend section 42, chapter 21, Political Code.

Which was read the first time.

Mr. Pugh introduced—
House Bill No. 53. A bill for an act to revise and reenact chapter 4 of the Session Laws of 1883, entitled an act to locate and establish the North Dakota Agricultural College.

Which was read the first time.

Mr. Riddell introduced—
House Bill No. 54. A bill for an act legalizing the incorporation of the village of Valley Springs, and for other purposes.

Which was read the first time.

Mr. Morgan introduced—
House Bill No. 55. A bill for an act to amend chapter 30 of the Code of Civil Procedure, revised 1877, of the Territory of Dakota, and making an annual appropriation to provide for the maintenance of the militia.

Which was read the first time.

Mr. McCumber introduced—
House Bill No. 56. A bill for an act authorizing the county commissioners of Richland county to issue bonds

of said county for the purpose of paying the indebtedness thereof.

Which was read the first time.

Mr. Van Osdel
Was called to the chair, and
Mr. Rice introduced—
House Bill No, 57. A Joint Resolution to provide for the printing of 3,000 copies of the Governor's Message in the Norwegian language.

Which was read the first time.

Mr. Ward of Brule, (by request), introduced—
House Bill No. 58. A Memorial to Congress asking aid in the erection of a National Homestead Monument.

Which was read the first time.

Mr. Pugh introduced—
House Bill No. 59. A bill for an act to make appropriation for the purpose of constructing and furnishing a building for the North Dakota Territorial Agricultural College at Fargo, in said Territory.

Which was read the first time.

Mr. Coe was granted unanimous consent to introduce—
House Bill No. 60. A bill for an act establishing the Dakota Forestry Institution and providing for the government and maintenance of the same.

Which was read the first time.

FIRST READING OF COUNCIL BILLS.

Mr. Williams moved
That the rules be suspended and that
Council Bill No. 62. Being a Joint Resolution to purchase 100 tons of coal for the heating of the Capitol building,
Be read the first and second times.

Which motion prevailed.

And the bill was read the first and second times.

Mr. Van Osdel moved

It be referred to the committee on Public Buildings.

Mr. Barnes moved
The suspension of the rules, that the bill be read the third time and put upon its final passage.

Which motion prevailed,

And the bill was read the third time and put upon its final passage.

The roll being called there were 45 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McCall, Morgan, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Smith was granted unanimous consent to withdraw House Bill No. 4.

On motion of Mr. Southwick,

House Bill No. 7. A bill for an act to relocate the capital was referred to a select committee of five to be appointed by the Speaker.

Mr. Williams moved

To lay the motion on the table.

Which motion was lost.

And the original motion was adopted.

The Speaker thereupon appointed:

Messrs. Southwick, Williams, Miller, Ward of Brule, and Huntington on such committee.

THIRD READING OF BILLS.

House Bill No. 13

Was read the third time and put upon its final passage.

The roll being called there were 48 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 14

Was read the third time.

Mr. Johnson asked unanimous consent to recommit to the committee on Counties.

Mr. DeWoody objected.

Mr. Martin moved to commit to the committee on Counties.

Which motion was lost.

Mr. Pickler moved to refer to the "general order."

Mr. Van Osdel moved

To refer the bill to the committee of the whole house and make it the special order for to-morrow at 12 o'clock.

Which motion was declared out of order.

Mr. Pickler withdrew his motion, and

Mr. Williams moved

The previous question on the passage of the bill.

Which motion prevailed.

The roll being called there were 46 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Johnson, Larson.

Messrs. Johnson, Miller, Martin and Steele explaining their votes.

So the bill passed and its title was agreed to.

Messrs. Martin and Williams

Gave notices of motions to reconsider the vote by which the bill was passed.

House Bill No. 16

Was read the third time.

Mr. Smith moved

The House to take a recess until 2 o'clock.

The ayes and nays were demanded.

The roll being called, there were 22 votes in the affirmative, and 26 in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Huston, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Pickler, Pierce, Runkle, Riddell, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Hutchinson, Johnson, Morgan, McHugh, Oliver, Parshall, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Stewart, Stong, Williams, Mr. Speaker.

So the motion was lost.

Mr. Oliver moved

The House take a recess until 3 o'clock.

Which motion was lost.

The roll being called on the passage of the bill, there were 48 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Sprague, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Williams asked and was granted unanimous consent to present

A petition relating to the creation of Colton county and its reference to the committee on Counties.

On motion the House
Adjourned.

CASSIUS M. REED,
Chief Clerk.

FOURTEENTH DAY.

BISMARCK, Monday, Jan. 26, 1885.

The House assembled at 11 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

The roll being called, all members were present except
Messrs. Martin and Miller,
Who were excused and
Messrs. Ruger and Williams, who reported after roll call.

On motion of Mr. Eldredge,
The reading of the Journal of the previous day was dispensed with, and the Journal referred to the committee on Printing.

PRESENTATION OF PETITIONS AND MEMORIALS.

Mr. Williams presented the following petition from the citizens of Burleigh county, and moved its reference to the committee on Counties.

To the Honorable, the Legislative Assembly of the Territory of Dakota:

The undersigned petitioners, being citizens and taxpayers of the county of Burleigh, beg leave to state that they are informed that a bill numbered House Bill No. 5, and known as "a bill for an act defining the boundaries of Kidder county," has been introduced to your Honorable Body, the declared purpose of which is to take from the easterly side of the county of Burleigh eight townships and add the same to the county of Kidder, and

Whereas, There has been or shortly will be introduced to your Honorable Body another bill of like tenor, for the purpose of taking from the said Burleigh county on the north a large amount of territory, to add the same to the county of McLean, and

Whereas, There exists no sound reason for altering the boundaries of said county of Burleigh in the manner proposed by said measures, or either of them, nor will any public good be subserved to the inhabitants of the said counties of Burleigh, Kidder or McLean thereby, but on the contrary, both of said measures are in direct opposition to the wishes and interests of the people of Burleigh county, as greatly increasing their burden of taxation and otherwise injuring their said county; that the said measures are prompted, as your petitioners verily believe, solely by corrupt motives of private gain, to the furtherance of certain selfish personal schemes;

Wherefore, Your petitioners respectfully petition your Honorable Body to refuse assent to both of said measures for the reasons set forth above, and for the further reason that both of said measures are introduced for the sole and corrupt purpose of committing a fraud upon the people of said county of Burleigh, to answer the private and speculative ends of a few individuals, and your petitioners will ever pray.

Which motion was adopted,

The following communication was read:

BISMARCK, D. T., Jan. 24, 1885.

To the Honorable George Rice:

DEAR SIR,—Would like to get an appointment as a janitor or some other position in the House. I am a carpenter of twenty years' experience. Would like to get the appointment to take care of the buildings or Capitol, as I would be ready to do all repairs on the buildings.

Very Respectfully,
WM. SMALL.

Mr. Van Osdel presented the following Memorial, and moved

That it be spread at length on the Journal.

Which motion prevailed.

The Memorial was then

Referred to the committee on Federal Relations.

A MEMORIAL

To the Legislature of Dakota, to the President of the Council, and Speaker of the House of Representatives:

Your Memorialists, citizens of Yankton county, Dakota, respectfully represent

That the interests of the people of Dakota, material, political and moral; their numbers, area and resources; their rights under the constitution; their rights under the guarantees of the ordinance of 1787; their rights under the treaty with France, of 1803, by which their territory was acquired; and the unanimous wishes of all its people, as evinced by the bill passed by the Legislature of 1881, for a constitutional convention; by the votes of the people of South Dakota at the Huron and Sioux Falls conventions of 1883; and by the resolutions of the Republican and Democratic conventions of 1884, demanded in the strongest terms the division of the Territory and the admission of the southern half as a State of the Union.

That the people of Dakota have an undoubted right to proceed to form a State constitution and a State Government for South Dakota, and for North Dakota if the people of that section so desire.

That we need no enabling act of Congress to exercise these rights.

That the recent vote of this Territory demonstrates, in the words of Governor Pierce, that Dakota has a population of 500,000; larger than two Colorados, five Delawares, three Floridas, twelve Nevadas, two New Hampshires, three Oregons, two Rhode Islands or two Vermonts.

It has a territory of 150,932 square miles, equal to the combined area of Maine, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Ohio, and West Virginia, less 1,954 square miles, as will be seen by the following table:

Maine	35,000	square miles.
New Hampshire	9,290	"
Vermont	10,212	"
Massachusetts	7,800	"
Connecticut	4,750	"
Rhode Island	1,306	"
New Jersey	8,320	"
Delaware	2,120	"
Maryland	11,124	"
Ohio	39,964	"
West Virginia	23,000	"
Total	152,886	"
Dakota	150,932	"
	1,954	"

Or Dakota equals in area:

New York	47,000	square miles.
Pennsylvania	46,000	“
Ohio	39,964	“
Maryland	11,124	“
Massachusetts	7,800	“
Total	151,888	“
Dakota	150,932	“
	956	

Less 956 square miles.

Or Dakota equals in area:

Illinois	55,410	“
Indiana	33,809	“
Michigan	56,451	“
Connecticut	4,750	“
	150.420	“
Dakota	150,932	“
	512	

with 512 square miles over.

Or Dakota equals in area:

Kansas	81,318	“
Nebraska	75,995	“
	157,313	“
Dakota	150,932	“
	6,381	“

less 6,381 square miles.

Or Dakota equals in area:

Virginia	38,348	“
North Carolina	50,704	“
South Carolina	34,000	“
Tennessee	45,600	“
	168,652	“
Dakota	150,932	“
	7,720	“

less 7,720 square miles.

In an able publication written by the Hon. R. F. Pettigrew, he has demonstrated by tables that we have not space to reproduce here, that Dakota pays more Internal Revenue than four states.

Delaware	$31,000
Florida,	23,000
Nevada	22,000
Vermont	22,000
Dakota	41,000

More postoffice revenue than thirteen states:

New Hampshire	$339,000
Rhode Island	317,000
Delaware	95,000
West Virginia	227,000
North Carolina	319,000
South Carolina	250,000
Florida	192,000
Alabama	315,000
Mississippi	246,000
Arkansas	254,000
Oregon	208,000
Nevada	67,000
District of Columbia	283,000
Dakota	367,000

Has more banks and bank capital than five states.

Therefore it is demonstrated beyond contradiction that we have the territory, the population and the resources to entitle us to two States.

We have the right to form a State Government without the permission of Congress.

That is demonstrated by the precedents of thirteen States:

Vermont.
Kentucky.
Tennessee.
Maine.
Michigan.
Arkansas.
Florida.
Iowa.
Wisconsin.
California.
Kansas.
Oregon.
Nevada.

Congress justified all these States by admitting them, under their constitutions formed without its permission.

It admitted most of them without a struggle.

It made a struggle with Kansas and refused her admission, and the political party which perpetrated this outrage, as a consequente, was hurled from power for twenty-four years.

That party has but just regained power.

Do you think it will desire to go out of power again upon such another struggle?

Let Dakota stand on her rights, and assert them, and act upon them.

Let her go to Congress no longer as a supplicant or petitioner, but as a body of American citizens to their servants, and demand her rights.

Let her say to the party in power in Congress, in the words of the United States Supreme Court in the case of Dred Scott vs. Sandford:

You have no power to hold this people as a territory permanently, but you are bound to admit us as soon as our population and situation entitle us to admission.

If you refuse us admission, we will go to the people of the United States on that question, and we will turn you out of power.

That is the language for a free people, who are American citizens, and have rights guaranteed by treaty and compact, which are irreversible without our consent.

This right to frame a State Constitution and State Government for ourselves has been affirmed by the Congress of the United States, by the Supreme Court of Michigan, by the Supreme Court of the United States, by the most eminent statesmen and lawyers of America. Among these are George Washington, Andrew Jackson, John Quincy Adams, Zachary Taylor, James Buchanan, Thomas Morris, Thomas L. Hamar.

The State of Michigan put the doctrine of the right of the people of a territory to form a State Government without permission of Congress, whenever they had the population and territory sufficient to support a State Government, and the people willed it into practical operation to its fullest extent.

They convoked a constitutional convention, adopted a constitution, elected State officers and inaugurated a State Government without any enabling act of Congress. Their Legislature enacted laws, their courts exercised jurisdicdiction, their people paid State taxes. And the Supreme Court of Michigan adjudged all these acts to be legal and valid. And the Supreme Court of the United States confirmed this decision by declaring the subject to be beyond their powers.

See Scott vs. the Detroit Young Men's Society. 1 Douglas Rept. (Mich.) 119. Scott vs. Jones, 5 Howard 378.

Congress decided in favor of Michigan's action and endorsed the doctrine of its courts by a vote of 153 ayes to 45 nays in the House, and 24 ayes to 18 nays in the Senate.

Afterwards Iowa, Florida, California, Oregon and Wisconsin were admitted upon the same doctrine, under constitutions formed without an enabling act, without a struggle.

So that Congress has re-affirmed the Michigan doctrine five times since its first decision.

The ordinance of 1787 was extended over Dakota by four successive acts of Congress, that of June 28th, 1834, of April 20, 1836, of May 31, 1838, and of March 3, 1849.

The Supreme Court of Michigan decided that that ordinance was a compact with the people of the Territory who settled it under the pledges of the ordinance, and that this compact was irreversible without the consent of the people of the Territory.

The Supreme Court of the United States, in the case of Cooper vs. Roberts, 18 Howard, 340,

Also decided that the compact was irreversible without the consent of the people of the Territory.

The ordinance itself reads as follows:

"The following articles shall be considered as articles of compact between the original States and the people and States in said Territory, and forever remain unalterable unless by common consent."

The act of Congress of April 29, 1836, is as follows:

"The inhabitants of the said Territory (Wisconsin, including Wisconsin, Minnesota and Dakota), shall be entitled to and enjoy, all and singular, the rights, privileges and advantages guaranteed and secured to the people of the Territory of the United States northwest of river Ohio, by the articles of compact contained in the ordinance for the government of said Territory, passed on the 13th day of July, 1787. And the said inhabitants shall also be entitled to all the rights, privileges and immunities heretofore granted and secured to the Territory of Michigan, and to its inhabitants.

Now, one of these rights was "that whenever one of the States (meaning any State to be formed out of that Territory) shall have 60,000 free inhabitants therein, such State shall be admitted by its delegates into the Congress of the United States on an equal footing with the original States in all respects forever, and shall be at liberty to form a permanent constitution and State government.

See ordinance 1787, 1. Stat. at large, page 52.

Therefore, we claim that that part of Dakota south of the 46th parallel, with over 350,000 inhabitants, and over 80,000 square miles of area, has the same right as Michigan had to frame its permanent constitution and State government.

We therefore respectfully memorialize your honorable body to pass at this session an act convening a constitutional convention, and convoking it to meet as soon as possible hereafter, for the purpose of framing a constitution and a State government for the people of Dakota south of the 46th parallel.

We ask for this action on the part of the Legislature:

1st. Because it is the legal right of the people of Dakota.

2d. It is the most practical means of securing the opening of the Sioux reservation.

3d. It will give the people the sovereign control over their railroads, and power which they do not now possess to correct the evils under which they labor.

4th. It will stimulate all branches of trade and business, and enhance values of property.

5th. It will give the people the power to limit and control their state and municipal indebtedness.

6th. It will give the people the benefit of their school lands, and in that much reduce taxation.

7th. It will settle the capital question and leave the people of South Dakota the right to select their own capital.

8th. It will secure to the people the right of all American citizens to regulate and control their own domestic affairs.

9th. It will put an end to an unauthorized and usurping colonial dependency, which by right should have ceased long ago, and to the exercise of a power which the Supreme Court of the United States have declared has ever been jealously regarded by the American people as contrary to the genius and spirit of our free institutions.

Joseph Ward,
Bartlett Tripp,
L. B. French,
Henry Grebe,
John B. Dennis,
S. B. McGlumphy,
L. M. Purdy,
Cox, Odiorne & Co.,
H. B. Wynn,
O. H. Carney,
J. M. Fogerty,
E. G. Smith,
S. H. Gruber,
J. E. Bruce,
Geo. W. Kingsbury,
E. G. Edgerton,
John T. Shaw.
Newton Edmunds,
D. F. Etter, M. D.,
Hugh J. Campbell,
J. W. C. Morrison,
R. J. Gamble,
J. P. Crennan,
F. A. Brecht,
Wm. Blatt,
Harry Katz,
J. C. McVay,
H. G. Clark & Co.,
Z. Richey,
D. N. Gross,
E. C. Dudley,
W. S. Bowen,
R. W. Burns,

YANKTON, Dakota, January 19, 1885.

APPENDIX.

We ask attention to the following extracts from the speeches of eminent statesmen on the Michigan admission, and also to the extract from the Chicago Tribune of January 13, 1885, which sets forth very forcibly the pressing reasons why Dakota should not delay in this act of justice to her people.

Cincinnati Platform Democratic Party, 1856:

"That a majority of the actual residents in a Territory, whenever their number is sufficient to entitle them to admission as a State, possess the power to form a constitution, to be admitted into the Union upon terms of perfect equality with the other States."

Speech of James Buchanan on Michigan case:

James Buchanan said in the Senate: "I think their course is clearly justifiable, but if there is anything wrong or unusual in it, it is to be attributed to the neglect of Congress.

"For three years they have been rapping at your door, and asking for the consent of Congress to form a constitution, and for admission into the Union; but their petitions have not been heeded and have been treated with neglect Not being able to be admitted in the way they have sought, they have been forced to take their own course, and stand upon their rights—rights secured to them by the constitution, and a solemn, irrepealable ordinance of 1787."

"They have taken a census of the Territory; they have formed a constitution, elected their officers, and the whole machinery of a State government is ready to be put in operation; they are only awaiting your action. Having assumed this attitude, they now demand admission as a matter of right; they demand it as an act of justice at your hands.

Are they now to be repelled, or to be told that they must retrace their steps and come into the Union in the way they first sought to do, but could not obtain the sanction of Congress?

"In fear of the consequences of such a decision, I tremble at an act of such injustice."—Benton's Thirty Years in the United States Senate, vol. 1, page 635.

John Quincy Adams:

John Quincy Adams expressed the same view as to the guarantees of the Louisiana Treaty, entitling Arkansas to admission in spite even of her slavery.

John Quincy Adams was then the most decided opponent of slavery in the House, and he expressly declared that, in his opinion, not only the compromise of 1820 but also the Louisiana Treaty forbade all opposition to the admission of Arkansas as a slave State.—Von Holst's Const. Hist., vol. 2, page 145; Debates of Cong., vol. 13, page 33.

Mr. Adams' words were: "She (Arkansas) is entitled to admission as a State, as Louisiana, and Mississippi, and Alabama, and Missouri have been admitted by virtue of that article in the treaty for the acquisition of Louisiana, which secures to the inhabitants of the ceded territories all the rights, privileges and immunities of the original citizens of the United States, and stipulates for their admission conformably to that principle, into the Union.

* * * * * * *

"It is written in the bond, and however I may lament that it was ever so written, I must faithfully perform its obligation."—Benton's Thirty Years in the United States Senate, vol. 1, page 636.

James Buchanan:

"Now, sir, under this provision (the ordinance of 1787) these 60,000 free inhabitants had a right to frame a constitution whenever they pleased.

"The precedent in the case of Tennessee has completely silenced all opposition in regard to the necessity of a previous act of Congress to enable the people of Michigan to form a State constitution."—Curtis' Life of Buchanan, vol. 1, p. 363.

Thomas Morris, of Ohio, in Michigan case says:

"I hold that any portion of American citizens who may reside on a portion of the territory of the United States, whenever their numbers shall amount to that which would entitle them to a representation in the House of Representatives in Congress, have the right to provide for themselves a constitution and State government, and to be admitted into the Union whenever they shall so apply; and they are not bound to wait the action of Congress in the first instance, except there is some compact or agreement requiring them to do so.

"I place this right upon the broad, and I consider, indisputable ground that all persons living within the jurisdiction of the United States are entitled to equal privileges.

"It is not necessary for the power of Congress, and I doubt whether Congress has such power, to prescribe the mode by which the people form a State Constitution."—Benton's Thirty years in the United States Senate, vol. 1, page 630.

Editorial in Chicago Tribune, January 13, 1885:

HOW DAKOTA CAN GET INTO THE UNION.

The Lord helps those who help themselves, and it is time for the people of Dakota to take some practical steps toward the organization of a State Government in order to knock at the door of Congress with the authority of the people. This was the course taken by California, Kansas and Colorado, and there is reason to believe that it will be as successful in the case of Dakota as in their case, for Dakota has higher claims to admission into the Union than they had. The enabling act which passed the Senate a few days ago lies buried in the House, where it will never be considered. A similar experience will be encountered next winter unless the people in the meantime do something to assert their claims and to bring them so prominently before the country that the Democratic majority in the next House of Representatives will not dare to commit the injustice of excluding a Territory which would be entitled to three or four members of Congress if it were a State—larger in population than two Colorados, five Delawares, three Florida, a dozen Nevadas, two New Hampshises, three Oregons, two Rhode Islands, or two Vermonts, or nearly equal to West Virginia, Maine or Connecticut.

The effective steps to take are these: The Territorial Legislature should pass an act this winter calling a Constitutional Convention to meet at a convenient place, and to be composed of the same number of men as the Legislature itself and elected in the same manner and from the same districts. The act should authorize the convention to frame a Constitution to be submitted to the people, appoint an election for State Government, Legislature, and three or four members of Congress, and designate a time for the meeting of such Legislature to choose two United Staies Senator. Then Dakota can go to Congress next winter with all the force of a formulated public opinion, with all the machinery of a State Government at hand with a Constitution which will excite no antagonism, and with the ablest men in the Territory demanding admission into both Houses of Congress. An application urged in this determined way will be backed up by the popular sentiment of the Northwest without regard to party, and there are twenty-five or thirty Western Democratic members of Congress who cannot join the Southern Confederate members in resisting it without risking a loss of their seats. The issue will be so plainly one of injustice against mere partisan advantage, that the Democrats will be constrained to admit Dakota on her application, or at least to pass the necessary enabling act that will admit her to a participation in the effairs of the Nation.

Governor Pierce should recommend this course in his message to the Dakota Legislature. He should advise that the movement be made for the admission of the entire Territory as one State, because it will be easier to secure the assent of Congress to this programme than to the formation of two States. But he should also point out that, in case the northern and southern interests of the Territory cannot harmonize, then the Legislature should call a Constitutional Convention for that half of the Territory which lies south of the forty-sixth line and contains about 80,000 square miles and 325,000 population, leaving the north half, with its 175,000 inhabitants, to work its way into the Union at some future time. The movement on congress will be more formidable if it shall come from the whole Territory, but the south half alone will have stronger claims to admission as a State than any new State had when it was admitted.

The people of Dakota may make up their minds that if they wait for a Democratic congress to pass an enabling act coaxing them to come in they will not get it while that party is in power. But if they proceed with the practical work of organizing a State, and demand admission into the Union as a matter of right and justice, they will succeed.

President Jackson:

Affirmed decidedly and emphatically, the right of the people of that Territory to frame their State Constitution and State Government, without any previous consent of Congress.

In his message on the Michigan application, he says:

"By the act of the 11th of January, 1805, all that part of the Indiana Territory lying north of a line drawn due east from the southerly bend or extreme of Lake Michigan until it shall intersect Lake Erie, and east of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, was erected into a separate territory by the name of Michigan, the territory comprised within these limits being part of the district of country described in the ordinance of 13th of July, 1787, which provides that whenever any of the States into which the same should be divided should have sixty thousand free inhabitants, such States should be admitted by its delegates into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government; *Provided* the constitution and government so to be formed shall be Rebublican; in conformity to the principles contained in these articles, the inhabitants thereof have, during the present year, in pursuance of the right secured by the ordinance, formed a constitution and State Government."—Benton's Thirty Years in the United States Senate, vol. 1, p. 627.

The vote of Dakota on November 4th was larger than that of either of eight States, the votes of which are given below:

Dakota	85,850
New Hampshire	84,457
Colorado	56,450
Vermont	59,882
Florida	59,361
Oregon	52,768
Rhode Island	33,771
Delaware	29,890
Nevada	12,789

Mr. McCall presented the following petition relating to the division of Lawrence county and the creation of Meade county, which was signed by citizens of Lawrence, and moved

It be referred to the committee on Counties.

To the Honorable Legislative Assembly of the Territory of Dakota:

We, the undersigned resident taxpayers of the agricultural portion of Lawrence county, Dakota, respectfully represent that we desire a division of the said county segregating the eastern or agricultural portion from the western or mining portion thereof, and that the agricultural portion so segregated be made, constituted and declared a new county.

Of the many reasons therefor we enumerate the following:

1. Lawrence county is large, populous, and wealthy enough for two counties.

2. At the time of the organization of Lawrence county, taking so large a scope of agricultural lands within her boundaries, these fertile valleys were uninhabited, hence we who have here made our homes and built up a strong community, had no voice in its formation.

3. We now have in the new county, as proposed to be organized, a voting population of eight hundred, a total of nearly four thousand souls, and an assessed valuation of nearly four hundred thousand dollars.

4. With extensive and costly mining litigation taking preference and overtaxing the capacity of our courts, we are in a condition little better than that of an absolute denial of court facilities.

5. We ask only those rights and privileges now denied us yet accorded all other communities in this new land of phenomenal growth, which we feel we too have a right to enjoy—that of self government, the arbiters of our own temporal destinies.

Which motion prevailed.

Mr. Blakemore as chairman of the committee on Rules, presented the majority report and moved its adoption.

MR. SPEAKER:

Your committee on Rules adopted by this body to whom was referred the proposed amendment of Rule 53 by changing the time of meeting from 11 o'clock to 10 o'clock a. m.. would recommend that the rule remain as it is.

And

Mr. Barnes presented the minority report as follows:

MR. SPEAKER:

I beg leave to present a minority report favoring a change of the hour of meeting from 11 to 10 o'clock, in the matter of the report of the committee on Rules, to whom was referred the consideration of the change of the hour of meeting of the House.

Mr. Pickler moved

The substitution of the minority report.

Which motion was lost.

The original motion prevailed.

Mr. Stewart as chairman of the committee on Agriculture, reported as follows:

MR. SPEAKER:

Your committee on Agriculture to whom was referred House Bill No. 30, introduced by Mr. Dawson, would respectfully report that we have had said bill under consideration, and would respectfully recommend that said bill be amended so as to read ninety (90) instead of sixty (60), and that the bill be passed as amended.

Mr. Scott moved
The adoption of the report.

Which motion prevailed.

Mr. Dawson as chairman of the committee on Ways and Means, reported as follows:

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred House Bill No. 23, a bill authorizing the county of Morton to issue bonds for the purpose of procuring grounds and erecting thereon a court house and jail for the county of Morton,
Have had the same under consideration, and beg leave to report it back and recommend that the bill do pass.

INTRODUCTION OF BILLS.

Mr. Sprague introduced—
House Bill No. 61. A bill for an act fixing the per diem and mileage of the county commissioners of Custer and Pennington counties,

Which was read the first time.

Mr. Rice introduced—
House Bill No. 62. A bill for an act providing for the collection of family expenses and other debts,

Which was read the first time.

Mr. Johnson introduced—
House Bill No. 63. A bill for an act to abolish the board of county commissioners and establish in the place thereof a board of county supervisors,

Which was read the first time.

Mr. Smith introduced—
House Bill No. 64. A bill for an act in relation to depositing dead animals or other offal,

Which was read the first time.

Mr. Van Osdel introduced—

House Bill No. 65. A bill for an act to amend chapter 46 of the Session Laws of 1881,
Which was read the first time.
Mr. Steele introduced—

House Bill No. 66. A bill for an act authorizing a special tax levy in the city of Steele, and to amend the charter of said city,

Which was read the first time.

Also,

House Bill No. 67. A bill for an act making the amount of insurance written in a policy conclusive as to the amount of damages in case of loss,

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 68. A bill for an act entitled an act to amend chapter 36 of the Session Laws of 1883,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 69. A bill for an act to amend section 91, chapter 21 of the Political Code,

Which was read the first time.

Also, (by request),

House Bill No. 70. A bill for an act to amend section 13, chapter 39 of the Political Code, and section I of chapter 102 of the Session Laws of 1883,

Which was read the first time.

Mr. Pickler introduced—

House Bill No. 71. A bill for an act to amend section 47, chapter 27, granting women the right of suffrage,

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 72. A bill for an act providing for the construction of a court house in Edmunds county, Dakota Territory,

Which was read the first time.

Mr. Stewart introduced—

House Bill No. 73. A bill for an act appropriating funds for the construction of a Normal School building at Minto, Walsh county, Dakota, and for other purposes,

Which was read the first time.

Mr. Sprague introduced—

House Bill No. 74. A bill for an act authorizing the county treasurers to bid off real estate in the name of the county where there are no other bidders and to provide for the transfer or redemption thereof,

Which was read the first time.

Also,

House Bill No. 75. A bill for an act making taxes a perpetual lien upon personal property,

Which was read the first time.

Mr. Hutchison introduced—

House Bill No. 76. A bill for an act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the Territory of Dakota,

Which was read the first time.

Mr. Morgan introduced—

House Bill No. 77. A bill for an act to locate and establish a Territorial Normal School at Portland, Traill county, Dakota, and for other purposes,

Which was read the first time.

Mr. McCall introduced—

House Bill No. 78. A bill for an act defining the boundary lines of Meade county, establishing the east boundary of Lawrence county and for other purposes,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 79. A bill for an act to amend section 468 of the Code of Civil Procedure,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 41,

Introduced by Mr. Sprague. A bill for an act authorizing the board of county commissioners of Custer county to levy a 10-mill tax for county general fund,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 42,

Introduced by Mr. Cumber. A bill for an act extending the time in which taxes in Sargent county for the year 1884, shall become delinquent,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 43,

Introduced by Mr. McCumber. A bill for an act changing the time in which taxes in this territory shall become due,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 44,

Introduced by Mr. Helvig. A bill for an act to amend section 74; chapter 59, of the Session Laws of 1879, relating to building bridges under town organizations,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 45,

Introduced by Mr. Myron. A bill for an act to amend section 47, chapter 27, of the Political Code entitled "Elections"

Was read the second time and referred to the committee on Judiciary.

Mr. DeWoody moved

That House Bill No. 72. A bill for an act providing for the construction of a court house in Edmunds county, Dakota, be passed to its second reading and

Referred to the committee on Ways and Means.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 30. A bill for an act to amend section 1 of chapter 85, of the Session Laws of 1883, concerning live stock,

Was read the third time, together with report of the committee on Agriculture, recommending its passage, and the bill as amended put on its final passage.

The roll being called, there were 46 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutcinson, Johnson, Larson. Langan, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward, of Brule, and Mr. Speaker.

Absent and not voting:

Messrs. Miller and Martin.

So the bill passed and its title was agreed to.

House Bill No. 23. A bill for an act authorizing the county of Morton to issue bonds for procuring ground and erecting thereon a court house and jail for the county of Morton,

Was read the third time, together with the report of the committee on Ways and Means recommending its passage.

The roll being called on the passage of the bill, there were 46 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, McCumber, Morgan. McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Miller and Martin.

So the bill passed and its title was agreed to.

Mr. Williams moved
That the House take an informal recess for ten minutes.

Which motion prevailed.

AFTER RECESS.

House Bill No. 65,
Introduced by Mr. Van Osdel. A bill for an act to amend chapter 46 of the Session Laws of 1881,
Was by unanimous consent
Read the second time, and
On motion of Mr. Williams,
The rules were suspended,

The bill read the third time and put upon its final passage.

The roll being called there were 46 votes in the affirmative and no votes in negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Miller and Martin.

So the bill passed and its title was agreed to.

MESSAGE FROM THE COUNCIL.

BISMARCK, Jan. 25, 1885.

MR. SPEAKER:

I am instructed by the Council to inform the House that they have this day passed

Council Bill No. 26. A bill for an act to define the boundary lines of McPherson and Edmunds counties.

Also,

Council Bill No. 28. A bill for an act to allow the school township of Ordway to issue bonds.

Also,

Council Bill No. 30. A bill for an act creating the county of Garfield and defining the boundaries of Garfield and Spink counties.

Also,

Council Bill No. 36. A bill for an act extending the time for payment of taxes.

Also,

Council Bill No. 65. A bill for an act to change the name of the village of Ordway to Independence.

All of which is respectfully submitted for your consideration.

Very Respectfully,
A. W. Howard,
Chief Clerk.

House Bill No. 66. A bill for an act authorizing a special tax levy in the city of Steele, and to amend the charter of said city.,

Was by unanimous consent

Read the second and third times and put upon its final passage.

The roll being called there were 45 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Bayard voted in the negative.

Absent and not voting:
Messrs. Miller and Martin.

So the bill passed and its title was agreed to.

Mr. Blakemore moved that—
The rules be suspended and the House return to the First reading of Council Bills.

Which motion prevailed.

Council Bill No. 26. A bill for an act defining the boundaries of McPherson and Edmunds counties,

Was read the first time, and

On motion of Mr. Williams the rules were suspended, and

The bill was read the second and third times and put upon its final passage.

The roll being called, there were 46 votes in the affirmative, and no votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Miller and Martin.

So the bill passed and its title was agreed to.

Mr. Johnson changed his vote from nay to yea, and
Gave notice of a motion to reconsider the vote by which the bill was passed.
Mr. DeWoody moved

That the Council be requested to return
House Bill No. 14.

Which motion prevailed.

Council Bill No. 28
Was read the first time.

Council Bill No. 30
Was read the first time.

Council Bill No. 36
Was read the first time.

Mr. Pierce asked unanimous consent to have
Council Bill No. 30. A bill for an act to defining the boundaries of Garfield and Spink counties,
Read the second time.

Which motion prevailed and the bill
Was read the second time and referred to the committee on Counties.

On motion of Mr. DeWoody, the rules were suspended and
Council Bill No. 65
Was read the first and second times and referred to the committee on Towns and Cities.

Mr. Swanton moved that the House adjourn.

Which motion prevailed.
Adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTEENTH DAY.

BISMARCK, Tuesday, January 27, 1885.

The House assembled at 11 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

The roll being called, the following members were found absent:
Messrs. Coe and DeWoody,

Who reported after roll call.

Messrs. Myron, Miller, Martin and Van Osdel excused for absence at roll call.

Mr. Pugh excused for the day.

Mr. Barnes asked that members of the Railroad committee be excused for the day.

Mr. Johnson moved
That the reading of the Journal be dispensed with, and referred to the committee on Public Printing.

Which motion prevailed,

PETITIONS AND COMMUNICATIONS.

MR. SPEAKER:

I would respectfully ask that your honorable body appoint me postmaster, or to any other vacancy that may exist. I have served honorably for more than four and one-half years in the late rebellion, and am broken down in health in consequence thereof, and a consideration from your honorable body would be very highly esteemed.

Very Respectfully,
E. J. MCMEESER.

Mr. Pickler moved
That in future the clerk hand all such communications to the committee on Public Buildings.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred
Council Bill No. 65,
Respectfully report that it appears to the committee that it is and has been the desire of the people of the village of Ordway, Brown county, to change the name of that village to that of Independence.

Wherefore your committee do recommend that said Council Bill No. 65 do pass.

T. A. ELDREDGE,
Chairman.
P. L. RUNKLE.
J. C. SOUTHWICK.
W. F. STEELE.

MR. SPEAKER:

Your committee having thoroughly examined
House Bill No. 37,
Unanimously recommend its passage, with the following amendment, viz: That wherever the word "Colton" occurs, "Ward" be substituted.

J. H. SWANTON.
OLE A. HELVIG.
H. S. OLIVER.
M. T. DEWOODY.
P. MCHUGH.

MR. SPEAKER:

Your committee on Counties having examined
Council Bill No. 8,
Beg leave to report that it do pass as drafted.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 41. A bill for an act authorizing the county commissioners of Custer county to levy a ten mill tax for county general fund,

Have had the same under consideration, and report it back and recommend that the bill do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 72. A bill for an act providing for the construction of a court house in Edmunds county,

Have had the same under consideration, and report it back and recommend that the bill do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Elections, to whom was referred the contested election case of

Bechtel vs. Stong,

Have instructed me to report that said committee has had said case under consideration, and from the records on file and the evidence taken and submitted on the stipulation of the respective parties and their attorneys, which has been duly considered, they find as follows:

That counting all the votes as returned for Pembina county, and taking into consideration the vote of Park River precinct, in Walsh county, which latter we find to be to a large extent illegal and fraudulent, said Stong received a decided majority over the contestant, of the votes cast in the Twelfth District. It is the opinion of your committee that contestee's majority, on the basis specified, is at least over fifty votes; but the precise number they are unable to find, owing to the nature of the illegality and fraud found, and the character of the proofs presented.

We find that said contestee, Henry Stong, is entitled to his seat, and recommend that he be allowed to retain the same as a Representative.

Dated January 56, 1885.

V. V. BARNES,
Chairman.

Mr. Blakemore moved
The adoption of the report.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, January 26, 1885.

MR. SPEAKER:

I herewith return
House Bill No. 10. A memorial to Congress for a division of the Territory and admission of the southern half,
Which the Council has passed with amendments, to which they ask your concurrence.

Also,
House Bill No. 26. A resolution asking a committee of twelve be appointed,
Which has passed the Council without amendment.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

Mr. Barnes moved a reconsideration of the vote by which

House Bill No. 66 was passed.

Which motion was lost.

MOTIONS AND RESOLUTIONS.

Mr. Johnson offered the following resolution:

Resolved, That the chairman of the different standing committees shall lay on the clerk's desk, to be read previous to adjournment, notice of the time and place of meeting of such committee, and said committee shall not consider any matter committed to them by the House without first giving such notice.

Mr. Pickler moved

To amend by striking out all after the words, "And said committee shall not consider," etc.

Which motion was lost.

And
The original motion prevailed.

Mr. Roach moved
That rule 53 be suspended and that until otherwise ordered the hour daily of meeting of the House shall be at 2 o'clock p. m.

Which motion prevailed.

Mr. McCumber moved that
House Bill No. 8
Be withdrawn from the committee on Warehouses, Grain Grading and dealing, and made the special order for to-morrow at 3 o'clock p. m.

Ayes and nays demanded.

The roll being called, there were 17 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Helvig, Larson, McCumber, McHugh, Oliver, Parshall, Runkle, Riddell, Roach, Southwick, Stevens, Sprague, Stebbins, Scott, Stong, Williams

Those who voted in the negative were:

Messrs. Bayard, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Hobart, Hutchinson, Johnson, Langan, McCall, Pickler, Swanton, Smith, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Eldredge, Huntington, Myron, Miller, Martin, Morgan, Pierce, Pugh, Ruger, Steele, Stewart, Van Osdel, Ward of Turner, Ward of Brule.

And so the motion was adopted.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

In compliance with pour request of yesterday I return herewith

House Bill No. 14. A bill for an act to define the boundaries of Edmunds and McPherson counties.

Also,

I transmit herewith

Council Bill No. 1. A bill for an act authorizing the Board of County Commissioners of Grand Forks county to fund the indebtedness.

Also,

Council Bill No. 23. A bill for an act to protect the passage of fish in James and Cheyenne Rivers.

Also,

Council Bill No. 63. A bill for an act providing for the printing of the report of the Regents of the Agricultural College of Brookings.

Also,

Council Bill No. 60. A bill for an act relating to the North Dakota Agricultural College.

Also,

Council Bill No. 72. A Joint Resolution to Congress asking for legislation for Lieutenant A. W. Greely.

Also,

Council Bill No. 71. A Joint Resolution providing for certain public printing.

To all of which your concurrence is respectfully asked.

A. W. Howard,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. McCumber introduced—

House Bill No. 80. A bill for an act relating to fees for the service of legal process,

Which was read the first time.

Mr. Roach introduced—

House Bill No. 81. A bill for an act appropriating funds for the construction of a Normal School building at Larimore, Grand Forks county, Dakota, and for other purposes,

Which was read the first time.

Mr. Hobart introduced—

House Bill No. 82. A bill for an act to amend section 53 of chapter 40, Laws of 1883, and to provide what fund money paid into the county treasury for license to sell intoxicating liquors shall be applied,

Which was read the first time.

Mr. Steele introduced—

House Bill No. 83. A bill for an act to regulate telegraph companies, and for other purposes,

Which was read the first time.

Mr. Morgan introduced—

House Bill No. 84. A bill for an act to vacate the townsite of Belmont, Traill county, Dakota,

Which was read the first time.

Mr. Pickler introduced—

House Bill No. 85. A bill for an act to provide justices of the peace with a treatise upon justice courts, school laws and township organization,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 86. A bill for an act to exempt certain judgments,

Which was read the first time.

FIRST READING OF COUNCIL BILLS.

On motion of Mr. Williams,

House Bill No. 14

Was laid on the table.

Mr. Williams moved

That the clerk request the Council to forthwith transmit amendments to

House Bill No. 10.

Which motion prevailed.

Mr. Pickler moved

That the House take a recess for ten minutes.

Which motion prevailed.

AFTER RECESS.

Mr. Williams moved

That the House concur in
Council amendments to
House Bill No. 10.

Mr. McCumber moved as a substitute,
Not to concur in amendments as to the line of division.

Messrs. Williams and McCumber withdrew their motions and
Mr. Blakemore moved
To concur.

The ayes and nays were demanded.

The roll being called there were 14 votes in the affirmative and 23 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Larson, Parshall, Pierce, Riddell, Swanton, Sprague, Ward of Turner, Williams.

Those who voted in the negative were:
Messrs. Coe, DeWoody, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, McCall, McCumber, McHugh, Oliver, Runkle, Roach, Steele, Southwick, Stevens, Smith, Stebbins, Scott, Stewart, Stong, Mr. Speaker.
Messrs. DeWoody and Smith explaining their votes.
Absent and not voting:
Messrs. Barnes, Huntington, Myron, Miller, Martin, Morgan, Pickler, Pugh, Ruger, Van Osdel, Ward of Brule.

So the motion was lost.

EXECUTIVE COMMUNICATIONS.

The following message was received from His Excellency, the Governor:

BISMARCK, Dak., Jan. 26, 1885.

To the Speaker of the House of Representatives of the Legislative Assembly of Dakota Territory:

I have the honor to inform the House that I have approved
A Joint Resolution to authorize the purchase of Codes and Session Laws for the use of the Legislature, known as House Bill No. 1.

GILBERT A. PIERCE,
Governor.

EXECUTIVE OFFICE, BISMARCK, Dak., Jan. 26, 1885.

To the Speaker of the House of Representatives of the Legislative Assembly of Dakota Territory:

I have the honor to transmit herewith

The report of the board of capital commissioners,
Made to the Legislature in obedience to law.

I call attention to the fact that the award of the board of arbitration in the case of the contractor materially increases the indebtedness of the board.

GILBERT A. PIERCE,
Governor.

EXECUTIVE OFFICE, BISMARCK, Dak., Jan. 26, 1885.

To the Speaker of the House of Representatives of the Legislative Assembly of Dakota Territory:

I have the honor to transmit herewith
The report of the Tax Commission,
With accompanying bills and papers.

GILBERT A. PIERCE,
Governor.

EXECUTIVE OFFICE, BISMARCK, Dak., Jan. 26, 1885.

To the Speaker of the House of Representatives of the Legislative Assembly of Dakota Territory:

I have the honor to transmit herewith
The report of the board of Education of the Normal School at Madison,
With supplemental report showing receipts and expenditures of said board.

GILBERT A. PIERCE,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Blakemore moved
The appointment of a committee of Conference of five by the Speaker, on the amendments to
House Bill No. 10.

Which motion prevailed.

And the Speaker appointed
Messrs. Blakemore, Roach, McCumber, Pickler and Smith as such committee.

Mr. Smith moved
The House take a recess until 3 o'clock.
Which motion prevailed.

AFTERNOON SESSION.

Mr. Blakemore moved

That the chief clerk be instructed to inform the Council as to the status of

House Bill No. 10,
And request the appointment of a Conference committee on the Council amendments thereto.

Which motion prevailed.

FIRST READING OF COUNCIL BILLS.

Under this order of business, Council Bill No. 72 was read the first time, and
Mr. Williams was granted unanimous consent, and moved that
Council Bill No. 72. A bill for an act relating to the services of Lieutenant A. W. Greely,
Be read the second time and referred to the appropriate committee for amendment.

Which motion prevailed,

And the bill read the second time and referred to the committee on Federal Relations.

Council Bill No. 1
Was read the first time,
And on motion of Mr. Scott,
The rules were suspended, and
Council Bill No. 1. A bill for an act to authorize the commissioners of Grand Forks county to fund its outstanding indebtedness,

Was read the second and third times and put upon its final passage.

The roll being called there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Pugh, Roach, Swanton, Ward of Brule.

So the bill passed and its title was agreed to.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 28

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 36

Read the second time,
And upon motion of Mr. Pickler,
The rules were suspended, and the bill read the third time.

Mr. Smith moved

To amend by inserting June instead of April.

Mr. Martin moved

To commit the bill to a special committee to be appointed by the Speaker.

Which motion was lost.

And
Mr. Pickler asked and was granted unanimous consent to have the Chief Clerk ascertain if
Council Bill No. 36
Had been correctly transmitted, with its amendments, to the House, and that the bill be laid over as unfinished business, and taken up under that order of business.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 8. A bill defining the boundary line of Grant and Roberts county,
Was read the third time.

The roll being called on its passage, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:
Messrs. Pugh, Swanton, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

Council bill No. 65. A bill changing the name of Ordway, in Brown county, to Independence,

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative, and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hutchinson, Johnson, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Smith, Stewart, VanOsdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Clark, Coe, Huston, Hobart, McCumber, Morgan, McHugh, Oliver, Roach, Ruger, Steele, Stevens, Sprague, Stebbins, Scott, Strong.

Absent and not voting:

Messrs. Helvig, Langan, McCall, Pugh, Swanton, Ward of Brule.

So the bill passed and its title was agreed to.

Messrs. Coe, DeWoodey, McCumber, Morgan and Williams explaining their votes.

SECOND READING OF HOUSE BILLS.

House Bill No. 46. A bill for an act to establish a public highway on the county line between the counties of Yankton, Turner and Clay,

Read the second time and referred to committee on Highways.

House Bill No. 47. A bill for an act to amend section 17, of chapter 28, of the Political Code, subject Revenue.

Read the second time and referred to committee on Ways and Means.

House Bill No. 48. A bill for an act appropriating funds for the Territorial Normal School at Spearfish, Dakota,

Read the second time and referred to the committee on Appropriations.

House Bill No. 49. A bill for an act to amend chapter 34, of Session Laws of 1881.

Read the second time and referred to the committee on Judiciary.

House Bill No. 50. A bill for an act to amend chapter 38 of Political Code by adding section 20.

Read the second time and referred to the committee on Judiciary.

House Bill No. 51. A bill for an act to amend section 655, chapter 31, Code Civil Procedure.

Read the second time and referred to the committee on Judiciary.

House Bill No. 52. A bill for an act to amend section 42, chapter 21, Political Code.

Read the second time and referred to the committee on Judiciary.

House Bill No. 53. A bill for an act to revive and reenact chapter 4, session laws of 1883, entitled an act to locate and establish the North Dakota Agricultural College,

Read the second time and referred to the committee on Education.

House Bill No. 54. A bill for an act legalizing the incorporation of the village of Valley Springs, and other acts,

Read the second time and referred to the committee on Cities and Towns.

On motion of Mr. Williams,

The reading at length of

House Bill No. 55. A bill for an act to amend chapter 30, Code of Civil Procedure revised 1877, of the Territory of Dakota, and making an annual appropriation to provide for the maintenance of the militia,

Was dispensed with,

And the bill read the second time by its title and referred to the committee on Military Affairs.

House Bill No. 56. A bill for an act authorizing the county commissioners of Richland county to issue bonds of said county for the purpose of paying certain indebtedness thereof,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 57. A bill for a Joint Resolution to provide for the printing of 3,000 copies of the Governor's message in the Norwegian language,

Read the second time.

House Bill No. 59. A bill for an act to make appropriations for the purpose of constructing and furnishing a building for the North Dakota Territorial Agricultural College at Fargo, in said Territory,

Read the second time and referred to the committee on Appropriations.

Mr. Johnson moved

To suspend the rules and that

House Bill No. 57. A bill for a Joint Resolution to provide for the printing of 3,000 copies of the Governor's message in the Norwegian language,

Be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called, there were 33 votes in the affirmative, and 13 in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, Oliver, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Stebbins, Scott, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Huston, McCumber, McHugh, Parshall, Runkle, Ruger, Swanton, Smith, Sprague, Stewart, Stong, Williams.

Messrs. Smith, Sprague and Williams explaining their votes.

Absent and not voting:

Messrs. Hutchinson, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Pickler moved

A reconsideration of the vote by which the bill was passed.

Which motion prevailed.

Mr. Williams moved

The bill be committed to a committee for amendment.

Which motion was lost.

Mr. McHugh moved

To adjourn.

Which motion was lost.

Mr. Smith moved to amend

House Bill No. 57

By adding "2,000 copies in the German language."

Mr. Swanton moved

That 3,000 copies be printed in the German language.

Both motions ruled out of order.

House Bill No. 57 being read the third time, and

The roll being called on the passage of the bill, there were 36 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Thore who voted in the negative were:

Messrs. Barnes, Swanton, Williams.

Absent and not voting:

Messrs. Huntington, Hobart, McCumber, Morgan, Oliver, Parshall, Steele, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

The joint committee on Warehouses, Grain Grading and Dealing, for conference with the Minnesota Legislature, were excused from attendance for the time being.

Mr. Williams moved

That the consideration of the contest case of

Anderson vs. Hutchinson

Be postponed until Friday next.

Which motion prevailed.

Mr. McCumber was excused from attendance during the remainder of the day.

THIRD READING OF HOUSE BILLS.

House Bill No. 37. A bill for an act creating the county of Ward,

Was read the third time, and put upon its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, McCumber, Morgan, Oliver, Pugh, Steele, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 41. A bill authorizing the commissioners of Custer county to levy a 10-mill tax.

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutcinson, Johnson, Larson. Langan, Myron, Miller, Martin, McCall, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, McCumber, Morgan, Oliver, Steele, Scott, Ward, of Brule.

So the bill passed and its title was agreed to.

House Bill No. 72. Providing for the construction of a a court house in Edmunds county.

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, McCumber, Morgan, Oliver, Steele, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Van Osdel by unanimous consent moved
That the report of the Tax Commission and the proposed bills be referred to the committee on Ways and Means.

Which motion prevailed,

And the reports and bills were so referred.

The report of the Capital Commission was
Referred to committee on Public Buildings.

The report of the Madison Normal School was
Referred to the committee on Education.

REPORT OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills, ask leave to report that they have examined.

House Bill No. 26. A Joint Resoulution that a committee of twelve be appointed to consider the best measure to secure the division of the Territory, and the admission of the southern half, and find the same correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

The Speaker announced his signature to
House Bill No. 26.
Council Bill No. 36. A bill for an act extending the time when taxes shall become delinquent
Was called up as unfished business and
Read the second time.

Mr. Williams moved
That the rules be suspended and that the bill be
Read the third time and put upon its final passage.

Which motion was afterwards withdrawn, and
Mr. Blakemore moved
That the bill be made the special order for to-morrow at 2:30 o'clock p. m.

Which motion prevailed.
On motion the House adjourned.

CASSIUS M. REED,
Chief Clerk.

SIXTEENTH DAY.

BISMARCK, Wednesday, Jan. 28, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

Mr. Speaker presiding.

Prayer by the Chaplain.

The roll being called, Messrs. Huntington, Hobart, Morgan Steele and Scott were reported absent, attending as a Conference committee with a similar committee of the Minnesota Legislature.

Mr. Blakemore presented the following petition:

To the Honorable Members of the Dakota Legislature, Bismarck, Dakota:

GENTLEMEN.—We, the undersigned citizens of Dakota Territory, over twenty-one years of age, petition your honorable body to grant the right of suffrage to the women of Dakota, on the same terms as now permitted to men.

We ask this as a matter of expediency, believing her to be, as a class, as sober, as moral, and as capable as he. We ask it as a matter of justice, because she submits to the laws and pays her proportion of the tax; because it will better harmonize with the age in which we live, and promote sobriety, peace, morality, education and prosperity.

Which, on motion of Mr. Johnson,

Was referred to a special committee of seven, to be appointed by the Speaker.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Federal Relations, to whom was referred

Council Bill No. 72,

A Joint Resolution and Memorial petitioning the Congress of the United States for the appointment of Lieutenant A. W. Greely as Assistant Chief of the Signal Service,

Begs leave to submit the following report:

That the said Memorial be amended by striking out the words "search and relief," and inserting in lieu thereof "circumpolar," so that it shall read, "late commander of the Arctic Circumpolar Expedition."

Your committee respectfully recommend the passage of the bill as thus amended.

W. N. ROACH,
Chairman.

Which report was,

On motion of Mr. Williams,

Accepted and adopted, the rules suspended, and the bill read a third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Ruger voted in the negative.

Absent and not voting:

Messrs. Huntington, Hobart, Morgan. Steele, Scott.

So the bill passed and its title as amended was agreed to.

The Speaker announced that he had signed

Council Bill No. 12. A bill for an act relating to the Cotton Centennial and Industrial Exposition at New Orleans.

Mr. Williams moved

That the House do now resolve itself into a Committee of the Whole for the consideration of special order of business of the day.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House resolved itself into a Committee of the Whole for the consideration of the special orders assigned for this day, with

Mr. Ward, of Brule, in the chair.

In consideration of

Council Bill No. 30. A bill for an act extending the time for the payment of taxes,

Mr. Johnson moved

That when the committee rise it report the bill favorably and recommend it be.

Read the third time and put upon its final passage.

Mr. Van Osdel moved

To amend by extending the provisions to the year 1884 and subsequent years, and providing that all taxes shall hereafter become delinquent on the first Monday in June each year subsequent to their levy.

Mr. Smith moved to amend by adding the following additional section:

"All acts or parts of acts in conflict with this act are hereby repealed."

Mr. Van Osdel withdrew his amendment and Mr. Smith withdrew his amendment.

Mr. Smith moved

That the House do not concur in the amendment exempting Lawrence county and withdrew the same.

Mr. Gregg moved to amend by striking out the provision exempting Lawrence county from the provisions of this act.

Mr. Oliver moved that the committee do now rise and ask leave to sit again.

Which motion was lost.

Mr. Smith moved

To amend by striking out the provisions. excepting Lawrence county, from the provisions of this bill,

Which motion prevailed.

Mr. Coe moved

That the committee do now rise and report progress,

Which motion prevailed.

The Chairman reported the action of the committee:

Mr. Williams moved

To lay the report on the table,

Which motion was lost.

Mr. Pierce moved

That the amendment adopted by the Committee of the Whole be adopted, and that the bill be put upon its final passage,

Which motion prevailed.

The roll being called there were 32 votes in the affirmative and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Myron, Miller, McCall, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stong, Van Osdel, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Barnes, Johnson, Martin, McCumber, McHugh, Oliver, Ruger, Stewart, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, Langan, Morgan, Steele, Scott.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

BISMARCK, Jan. 27, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 18. A bill for an act to amend an act to employ Assistant Sergeant-at-Arms for House and Council, which the Council has passed with amendments.

Also,

House Bill No. 11. A bill for an act legalizing ordinance of town of Whapeton, relating to bonds issued for water works and and other purposes, which the Council has passed without amendment.

Also,

Council Bill No. 7. A bill for an act authorizing the commissioners of Grant county to fund the outstanding indebetedness.

Also,

Council Bill No. 54. A bill for an act to vacate portions of the town of Elk Point.

Also,

Council Bill No. 52. A bill for an act to incorporate the city of Valley City, and declaring its status.

Also,

Council Bill No. 33. A bill for an act to change the name of Elgin to Ayr.

Also,

Council Bill No. 53. A bill for an act to repeal section 5 of chapter 31 of Laws of 1883.

Also,

Council Bill No. 44. A bill for an act authorizing county commissioners of McCook county to fund outstanding indebtedness.

To all of which your concurrence is respectfully requested.

A. W. Howard,
Chief Clerk.

Mr. Oliver moved

That the House do now resolve itself into a Committee of the Whole for the consideration of

House Bill No. 8,

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House having resolved itself into a Committee of the Whole, the Speaker called

Mr. Martin to the chair.

The committee proceeded to the consideration of

House Bill No. 8.

Mr. Oliver moved

That the substitute for section 1 be adopted, and that the committee, when it rise, report the same to the House, with the recommendation that it pass.

Mr. Johnson moved

That when the committee rise it report the bill back, with the recommendation that the bill and the substitute for section 1 be referred to the appropriate committee for amendment.

Which Mr. Johnson withdrew.

Mr. Pickler moved.

To refer to a special committee consisting of

Messrs. Ransom, Barnes and McCumber.

Mr. Oliver moved

To lay on the table.

Which motion prevailed.

Mr. Johnson renewed his motion.

Mr. Blakemore moved
To lay on the table.

Which motion prevailed.

Mr. Blakemore moved
Adoption of substitute for section 2, and to amend same by adding the words "or other freight" after the word "grain," where it occurs a second time.

Which amendment was carried,
And the substitute was adopted.

Mr. Oliver moved
The adoption of section 3.

Mr. Southwick moved
To amend section 3 by adding the words "or other freight" to be inserted after the word "grain," wherever it appears.

Mr. Van Osdel moved
To amend by adding the words "or other freight, as classified in their schedules."

Mr. Southwick accepted the amendment, and
Section 3 was adopted as amended.

Section 4 read.

Mr. Swanton moved
To amend section 4 by striking out "$100," and inserting "$200."

Which motion was lost.

Mr. Huston moved
That section 4 be amended by adding thereto the words "one-half of said amount shall go to the party aggrieved, and one-half to the public school fund of the county in which said action shall be brought."

Mr. Oliver moved
That section 4 be amended by adding after the word "grain," where it occurs, the words "or other freight."

Mr. Van Osdel moved
To amend by adding after the word "provided," in the fourth printed line of the bill, the words "within a reasonable time."

Mr. Oliver moved

To omit section 5, excepting that part relating to proceedings by mandamus.

Which motion prevailed.

Mr. Oliver also moved the adoption of section 6.

Mr. Myron moved

To amend title by adding words "and other freight."

Mr. Blakemore moved

The committee rise and report.

The committee rose and reported, and on motion

The report was adopted and the bill

Read the third time and put upon its final passage.

The roll being called there were 42 votes in the affirmative and 1 vote in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Smith voted in the negative.

Absent and not voting:

Messrs. Huntington, Hobart, Morgan, Steele, Scott.

So the bill passed and its title was agreed to, and

Referred to the committee on Enrolling and Engrossing.

Mr. Smith, explaining his vote, which was ordered printed in the Journal, as follows:

I ask to have my reason recorded. I vote no on this bill because I consider it imperfect and not covering our needs.

Mr. DeWoody moved to recall

Council Bill No. 65. An act for a bill changing the name of the town of Ordway to Independence,

Which motion prevailed.

Mr. DeWoody gave notice that he would move to reconsider the vote by which

Council Bill No. 65 was passed.

Mr. Blackmore moved the House adjourn,

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

SEVENTEENTH DAY.

BISMARCK, Thursday, Jan. 29, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Huntington, Hobart, Morgan, Steele and Scott, Reported absent by reason of service at St. Paul, conferring with Minnesota Legislature.

Reading of Journal dispensed with and referred to committee on Public Printing.

MESSAGES FROM THE COUNCIL.

BISMARCK, January 28, 1885.

MR. SPEAKER:

I herewith tansmit

Council Bill No. 18. A bill for an act providing for the erection and construction of a court house and jail for Brookings county, Dakota.

Also,

Council Bill No. 59. A bill for an act for a Joint Resolution authorizing the printing of the biennial reports of the Territorial Treasurer and Auditor, ann making appropriations to pay for the same.

Which the Council have passed,

And respectfully ask your concurrence.

Very Respectfully,

A. W. HOWARD,

Chief Clerk.

SPECIAL COMMITTEE.

The Speaker appointed the following Special committees:

Woman suffrage bill:

Messrs. Johnson, Pierce, Larson, Stevens, Stong, Stebbins, Clark.

House Joint Committee:

Messrs. Pickler, Roach, Eldredge, Smith, Barnes, Parshall, Ruger.

PETITIONS AND MEMORIALS.

Mr. Williams presented the following petition:

To the Honorable Body, the Legislature of the Territory of Dakota:

We, the undersigned citizens and taxpayers of the county of Burleigh and Menoken vicinity, beg leave to state that we have learned that a certain bill has been introduced to your honorable body, the purpose of which is to take eight townships from the east side of Burleigh and annex the same to Kidder county. We also learn there has been, or is to be, a bill of like import introduced to your honorable body, asking to take a large amount of territory from the north of Burleigh and add the same to McLean county, and

WHEREAS, We believe there is no good reason for changing the boundaries of said counties as intended by said bills, but on the contrary, both of said bills, if passed by your honorable body, will prove detrimental to the interests of the people of Burleigh county by greatly increasing their burden of taxation and otherwise injuring their county. We, your petitioners, verily believe both said measures are introduced and advocated for personal and selfish ends.

Therefore, your petitioners respectfully ask your honorable body to refuse to pass either of these bills for the reasons given above.

And your petitioners, as in duty bound, will ever pray.

MENOKEN, January 26, 1885.

Which was referred to the committee on Counties.

REPORTS OF STANDING COMMITTEES.

BISMARCK, Jan. 28, 1885.

MR. SPEAKER:

The committee on Judiciary have considered

House Bill No. 15. A bill for an act relating to the foreclosure of chattel mortgages,

And beg leave to report that they recommend a substitute herewith submitted, and recommend further that the substitute bill be considered favorably and passed by this House.

Also,

House Bill No. 19. A bill for an act to provide for a thresher's lien upon grain,

And respectfully report that they recommend that a bill herewith submitted, entitled "a bill for an act to amend section 332 of the Code of Civil Procedure," be substituted for said

House Bill No. 19, and that the said substitute bill be considered favorably and passed by this House.

Also,

House Bill No. 40. A bill for an act concerning actions and proceedings originally brought in the Third Judicial District of Dakota Territory, in counties and sub-divisions now included in the Sixth Judicial District of said Territory and the jurisdiction thereof, since the creation of said Sixth Judicial District;

And respectfully report favorably upon said bill and recommend its passage by this House.

Also,

House Bill No. 49. A bill for an act to amend chapter 34 of the Session Laws of 1881,

And respectfully report favorably on its passage by this House.

Also,

House Bill No. 51. A bill for an act to amend section 655 of the Code of Civil Procedure,

And beg leave to report favorably upon the same, and recommend its passage by this House.

Also,

House Bill No. 52. A bill for an act to amend section 42 of chapter 21 of the Political Code,

And would respectfully report in favor of said bill, and recommend its passage by this House.

Also,

House Bill No. 45. A bill for an act to amend section 47 of chapter 27 of the Political Code, entitled "Elections,"

And recommend that the said bill be amended by inserting in lieu of the various sections of said bill the following:

That section 47 of chapter 27 of the Political Code, entitled "Elections," be amended by striking out from said sections the following words: "Twenty days in the county and five days in the precinct," and inserting in lieu thereof as follows: "Sixty (60) days in the county, and twenty (20) days in the precinct."

Your committee further recommend the said amended bill be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER

Your committee on Towns and Cities, to whom was referred

House Bill No. 38. A bill for an act to incorporate the village of Webster, Day county, respectfully report that they have examined the same, and recommend its passage by this House.

M. L. MILLER,
Chairman.
H. M. CLARK.
F. A. ELDREDGE.

Mr. DeWoody moved

That all reports of committees amending bills or recommending substitutes be referred to general order.

Which motion prevailed.

Mr. Pickler offered the following resolution:

Resolved, That the Committee on Rules be instructed to examine the Rules of the House, and if inconsistencies exist, that the proper amendments be made to remedy the same.

Which was adopted.

The Speaker announced his signature to

Council Bill No. 62.

INTRODUCTION OF BILLS.

Mr. Pugh introduced—

House Bill No. 87. A bill for an act to create a new sub-division of the Sixth Judicial District,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 88. A bill for an act relating to proofs of the existence of corporations,

Which was read the first time.

Mr. Hobart introduced—

House Bill No. 87. A bill for an act to amend section 1 of chapter 62 of the Laws of 1881,

Which was read the first time.

Mr. Huston introduced—

House Bill No. 90. A bill for an act to amend sections 1 and 5, chapter 43, of Laws of 1883, and for other purposes,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 91. A bill for an act to amend chapter 22 of the Political Code,

Which was read the first time.

Mr. Hutchison introduced—

House Bill No. 92. A bill for an act creating Nelson county as a legal sub-division and providing for a term of court therein,

Which was read the first time.

Mr. Smith introduced—

House Bill No. 93. A bill for an act to create a Territorial Department of Agriculture, and relating to Agricultural Societies and Agricultural Fairs, and providing for the reports of the same,

Which was read the first time.

Mr. Runkle introduced—

House Bill No. 94. A bill for an act establishing the Dakota Blind Asylum and providing for the government and maintenance of the same,

Which was read the first time.

Mr. Helvig introduced—

House Bill No. 95. A bill for an act to amend sections 12 and 21 of chapter 112 of the Laws of 1883,

Which was read the first time.

Mr. Ruger introduced—

House Bill No. 96. A bill for an act authorizing county commissioners of Ramsey county to issue bonds for roads and bridges, not to exceed five thousand dollars,

Which was read the first time.

Also,

House Bill No. 97. A bill for an act authorizing county commissioners of Ramsey county to fund indebtedness of said county,

Which was read the first time.

Mr. Swanton introduced—

House Bill No. 98. A bill for an act for a Joint Resolution providing for the printing of 3,000 copies of the Governor's message in the German language,

Which was read the first time.

Mr. Johnson introduced—
House Bill No. 99. A bill for an act to amend an act entitled an act to incorporate the city of Aberdeen,

Which was read the first time.

Mr. Pickler introduced—
House Bill No. 100. A bill for an act appropriating funds for the payment of assistant clerk and assistant sergeant-at-arms of the Legislative Assembly of Dakota.

Which was read the first time.

Mr. Johnson was excused from further attendance during the day.

Mr. Miller moved
That the Chief Clerk request the Council to return
House Bill No. 18
Engrossed as amended.

Which motion prevailed.

Mr. Williams moved
That the rules be suspended and that
Councill Bills be read the first and second times and
Referred to appropriate committees.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 7. A bill for an act authorizing the commissioners of Grant county to fund its outstanding indebtedness,

Was read the first time.

Council Bill No. 33. A bill for an act to change the name of the town of Elgin to Ayr,

Was read the first time.

Council Bill No. 44. A bill for an act to authorize the county commissioners of McCook county to fund the outstanding indebtedness of said county,

Was read the first time.

Council Bill No. 52. A bill for an act to amend an act entitled an act to incorporate the city of Valley City, Barnes county, Dakota, and equalizing the incorporation of the city and declaring its status,

Was read the first time.

Council Bill No. 53. A bill for an act entitled an act to repeal section 5, chapter 31 of the Session Laws of 1883,

Was read the first time.

Council Bill No. 54. A bill for an act to vacate certain portions of the townsite of Elk Point,

Was read the first time.

Council Bill No. 59. A bill for a Joint Resolution authorizing the printing of the biennial reports of the territorial treasurer and auditor, and making an appropriation to pay for the same,

Was read the first time.

Substitute for
Council Bill No. 18. A bill for an act providing for the erection and construction of a court house and jail for the county of Brookings, Dakota Territory,

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 23. A bill for an act concerning the passage of fish in James River,

Read the second time.

Mr. Smith moved
To amend by adding the word "Sioux" after "Cheyenne,"
Which amendment was adopted,
And the bill referred to the committee on Judiciary.

Council Bill No. 60
Read the second time and referred to the committee on Education.

Council Bill No. 63

Read the second time and by unanimous consent was

Read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, Huntington, Hobart, Johnson, Morgan, Oliver, Steele, Scott, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 71

Read the second time and by unanimous consent the rules were suspended and the bill was

Read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell. Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Huntington, Hobart, Johnson, Morgan, Steele, Stevens, Scott, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 7

Read the second time and, by unanimous consent, the rules were suspended and the bill was

Read the third time and put upon its final passage.

The roll being called there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Smith Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward, of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, Johnson, Morgan, Steele, Stevens, Scott.

So the bill passed and its title was agreed to.

Council Bill No. 33,

Read the second time and, by unanimous consent the rules were suspended, and the bill

Read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were;

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward, of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Huntington, Hobart, Johnson, Morgan, Steele, Scott.

So the bill passed and its title was agreed to.

Council Bill No. 44,
Read the second time, and
Mr. Van Osdel moved
To commit to committee on Ways and Means.

The ayes and nays were demanded.

The roll being called there were 5 votes in the affirma- and 36 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Dawson, Gregg, Swanton, Stebbins, Van Osdel.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Smith, Sprague, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Huntington, Hobart, Johnson, Morgan, Steele, Scott.

So the motion was lost.

On motion of Mr. Bayard, the rules were suspended, and Council Bill No. 44

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting;

Messrs. Coe, DeWoody, Eldredge, Huntington, Hobart, Johnson, Morgan, Oliver, Steele, Scott, Van Osdel.

So the bill passed, and its title amended by adding the words "for other purposes," and then agreed to.

Council Bill No. 52

Read the second time and by unanimous consent the rules were suspended and the bill

Read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, Johnson, Morgan, Oliver, Parshall, Steele, Scott.

So the bill passed and its title was agreed to.

Council Bill No. 53

Read the second time and referred to the committee on Counties.

Council Bill No. 54

Read the second time and referred to the committee Towns and Cities.

Council Bill No. 59

Read the second time.

Mr. Martin moved

To commit the bill to the committee on Public Printing.

Which motion prevailed.

Substitute for

Council Bill No. 18

Read the second time.

Mr. Martin moved

That its further reading be dispensed with, and the bill be referred to committee on Ways and Means.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

By unanimous consent,

Mr. Martin moved

That Rule 47 be amended so that orders of business Nos. 14 and 15 become 11 and 12, and so that present Nos. 11, 12 and 13 become Nos. 13, 14 and 15 respectively.

Which motion prevailed.

SECOND READING OF HOUSE BILLS.

House Bill No. 58

Read the second time,

And on motion of Mr. Martin,

Referred to committee on Federal Relations.

House Bill No. 60

Read the second time and referred to the committee on Appropriations.

House Bill No. 61

Read the second time, and by unanimous consent the rules were suspended, the bill read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Johnson, McCall, Morgan, Runkle, Steele, Scott, Van Osdel.

So the bill passed and its title was agreed to.

REPORT OF COMMITTEE.

By unanimous consent,

Mr. Blakemore reported as follows:

MR. SPEAKER:

Your committee of Conference on

House Bill No. 10,

Having had a full conference and discussion of the matter contained in said bill and amendments,

Beg leave to report, and recommend that this house do concur in the Council amendments to said bill.

JOHN T. BLAKEMORE,
Chairman.

On motion of Mr. Miller,

The rules were suspended, and

House Bill No. 100

Read the second and third times and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Johnson, Morgan, Steele, Scott.

So the bill passed and its title was agreed to.

On motion of Mr. Williams

The Sheriffs of the Territory now in convention assembled at Bismarck were extended the courtesy of seats on the floor of the House during their stay.

House Bill No. 62

Read the second time and made the special order for tomorrow at 3 o'clock p. m.

MESSAGES FROM THE COUNCIL.

BISMARCK, Jan. 29, 1885.

MR. SPEAKER:

I am instructed by the Council to request the House to return

Council Bill No. 10. A bill for a memorial to Congress of the United States in relation to reduction of price of public lands which was transmitted to the House of the 28th inst.

Also,

I am instructed by the Council to inform the House that

The Council refuses to concur in the House amendments to

Council Bill No. 36. A bill for an act in relation to extending the time for the payment of taxes in 1884, and request the appointment of conference committee on the part of the House on the same.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

MR. SPEAKER:

Your committee on Engrossed and Enrolled bills beg leave to report that they have examined and compared

House Bill No. 11. A bill for an act to legalize a certain ordinance of the town of Wahpeton, providing for the establishment of water works and to legalize the issue of certain bonds thereunder,

And find the same properly engrossed and enrolled.

V. V. BARNES,
Chairman.

SECOND READING OF HOUSE BILLS.

House Bill No. 63

Read the second time,

And on motion of Mr. Martin was referred to Committee on Judiciary.

The Speaker announced his signature to
House Bill No. 11.
House Bill No. 64
Read the second time and referred to the committee on Public Health.

House Bill No. 67
Read the second time and referred to the committee on Insurance.

Mr. Williams asked unanimous consent to have a Conference Committee appointed on
Council Bill No. 36
With Mr. Gregg as chairman,

Which was granted and the speaker appointed:
Messrs. Gregg, Williams and Van Osdel as such committee.

House Bill No. 68
Read the second time and referred to the committee on Education.

House Bill No. 69
Read the second time and referred to the committee on Judiciary.

House Bill No. 71
Read the second time.

Mr. Pickler moved to add
Messrs. Blakemore and Bayard to the special committee appointed by the Speaker on Woman Suffrage and refer the bill to said committee.

Mr. DeWoody moved
To amend by referring it to the committee on Indian affairs.
The ayes and nays were demanded.
The roll being called, there were 2 votes in the affirmative, and 40 in the negative, viz:
Those who voted in the affirmative were:
Messrs. McCumber, Runkle.
Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Absent and not voting:
Messrs. Huntington, Hobart, Johnson, Morgan, Steele, Scott.

So the motion was lost.

Mr. McCumber moved
To amend by referring to the appropriate standing committee.

Which motion was lost.

Mr. Williams moved
That it be made the special order for two weeks from to-day.

The ayes and nays were demanded.

The roll being called, there were 2 votes in the affirmative, and 40 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. McHugh and Williams.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Huntington, Hobart, Johnson, Morgan, Steele, Scott.

So the motion was lost.

The original motion of Mr. Pickler, to add Messrs. Bayard and Blakemore to special committee and refer the bill to them,
Was then put and carried.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

The chairman of the committee on Enrolled and Engrossed Bills begs leave to report that on this 29th day of January, 1885, at 4:30 o'clock p. m., he has handed to His Excellency, the Governor, for his approval,

House Bill No. 11. A bill for an act to legalize a certain ordinance of the town of Wahpeton, providing for the establishment of waterworks, and to legalize the issue of certain bonds thereunder.

Also,

At 2:30 o'clock p. m., he has handed to His Excellency, the Governor, for his approval,

House Bill No. 26. A bill for a Joint Resolution that a committee of twelve be appointed to consider the best means to secure the division of the Territory and the admission of the southern half.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Enrolled and Engrossed Bills beg leave to report that they have examined and compared

House Bill No. 8. A bill for an act regulating the transportation of grain and other freights,

And find the same properly engrossed.

V. V. BARNES,
Chairman.

House Bill No. 70

Read the second time and referred to the committee on Judiciary.

House Bill No. 73

Read the second time and referred to the committee on Appropriations.

House Bill No. 74

Read the second time and referred to the committee on Judiciary.

House Bill No. 75

Read the second time and referred to the committee on Judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 38. A bill for an act entitled an act to incorporate the village of Webster,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Helvig, Johnson, Morgan, McHugh, Oliver, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 40. A bill for an act concerning actions and proceedings in the Third and Sixth Judicial Districts, and the jurisdiction thereof since the creation of the Sixth Judicial District,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward, of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Helvig, Johnson, Morgan, McHugh, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 49. A bill for an act to amend chapter 34 of Session Laws of 1881,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Helvig, Johnson, Morgan, McHugh, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 57. A bill for an act to amend section 655, chapter 31, Code Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Helvig, Johnson, Miller, Morgan, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 52. A bill for an act to amend section 42, chapter 21, Political Code,

Was read the third time, and put upon its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Johnson, Morgan, Pugh, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Mr. Oliver was excused until Tuesday on account of sickness.

CONSIDERATION OF GENERAL ORDERS.

The House resolved itself into Committee of the Whole, Mr. McCumber in the chair, and considered

The subsiitute for
Council Bill No. 60. A bill for an act relating to the foreclosure of chattel mortgages.

The Chairman reported that the committee had considered
House Bill No. 15,

And had recommended its recommittal to the committee on Judiciary for further action.

Mr. Williams moved
The adoption of the report,

Which motion prevailed.

Mr. DeWoody moved
That the House adjourn,

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

EIGHTEENTH DAY.

BISMARCK, Friday, January 30, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. Huntington, Hobart, Morgan, Steele and Scott reported absent by reason of service at St. Paul, conferring with the Minnesota Legislature.

Mr. Gregg was excused on account of illness.
Reading of Journal dispensed with, and referred to committee on Public Printing.

PETITIONS AND COMMUNICATIONS.

Mr. Barnes presented the following petition from Kingsbury county, in the Fifth District, signed by a full representation of voters and women of said county, to-wit:

To the Honorable Members of the Dakota Legislature, Bismarck, Dakota:

GENTLEMEN:—We, the undersigned citizens of Dakota Territory, over twenty-one years of age, petition your honorable body to grant the right of suffrage to women of Dakota on the same terms as now permitted to men.

We ask this as a matter of expediency, believing her, as a class, to be as sober, as moral, and as capable as he. We ask it as a matter of justice, because she submits to the laws and pays her proportion of tax; because it will better harmonize with the age in which we live, and promote sobriety, peace, morality, education and prosperity.

Which was referred to the special committee on Woman Suffrage.

REPORT OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 34,
Beg leave to report that they have carefully examined the same, and recommend that the same do pass as amended.

DONALD STEWART,
Chairman.

Which report and the consideration of the bill was referred to general orders.

RESOLUTIONS.

Mr. Dawson introduced the following:

Resolved, That the chief clerk or his assistant be required to read the notice of the meeting of any committee immediately after its being received by him.

Which was adopted.

INTRODUCTION OF BILLS.

Mr. Johnson introduced—
House Bill No. 101. A bill for a Joint Resolution,
Which was read the first time.
Mr. Coe introduced—
House Bill No. 102. A bill for a Joint Resolution,

Which was read the first time.

Mr. Southwick introduced—

House Bill No. 103. A bill for an act directing an inquiry into the condition of the several public institutions of Dakota, and report thereon,

Which was read the first time.

Mr. Blakemore introduced—

House Bill No. 104. A bill for an act to exempt farm improvements and farming implements from taxation,

Which was read the first time.

Mr. McCall introduced—

House Bill No. 105. A bill for an act establishing a fence law in Fall River and other counties,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 106. A bill for an act providing for a special election in the county of McHenry,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 76. A bill for an act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the Territory of Dakota,

Read the second time and referred to committee on Public Health.

House Bill No. 77. A bill for an act to locate and establish a Territorial Normal School at Portland, Traill county, Dakota, and for other purposes,

Read the second time and referred to committee on Appropriations.

House Bill No. 78. A bill for an act defining the boundary lines of Meade county, establishing the east boundary of Lawrence county, and for other purposes,

Read the second time and referred to the committee on Counties.

House Bill No. 80. A bill for an act relating to fees for the service of legal process,

Read the second time and referred to the committee on Judiciary.

House Bill No. 81. A bill for an act appropriating funds for the construction of a Normal School building at Larimore, Dakota, and for other purposes,

Read the second time and referred to the committee on Appropriations.

House Bill No. 82. A bill for an act to amend section 53 of chapter 40 of the Laws of 1883, and to provide what fund money paid into the county treasury for license to sell intoxicating liquors,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 83. A bill for an act to regulate telegraph companies, and for other purposes,

Read the second time and referred to the committee on Judiciary.

House Bill No. 86. A bill for an act to exempt certain judgments,

Read the second time and referred to the committee on Judiciary.

House Bill No. 84. A bill for an act to vacate the townsite of Belmont, Traill county, Dakota,

Read the second time and referred to the committee on Towns and Cities.

Mr. Williams moved

That the special order for the day be discharged, and the bill be

Referred to the committee on Judiciary.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House then went into a Committee of the Whole for the consideration of the general orders of the day.

When the committee rose, Mr. Williams moved

That the report of the Committee of the Whole be considered as unfinished business to-morrow.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, Jan. 30, 1885.

MR. SPEAKER:

I am instructed by the Council to inform the House that it has concurred in the House amendments to

Council Bill No. 36. A bill for an act to extend the time of payment of texes levied for 1884, which amendment reads as follows:

"Provided, however, that the provisions of this act shall not apply to the county of Lawrence."

I also transmit herewith,

Council Bill No. 6. A bill for an act to enable the school districts of the county of Griggs to fund their indebtedness.

G. W. EAKINS,
Assistant Clerk of Council.

BISMARCK, Jan. 29, 1885.

MR. SPEAKER:

I herewith transmit

Council Bill No. 90. A bill for a Joint Resolution authorizing the President of Council and Speaker of the House to appoint stenographers for their respective houses,

Which they have this day passed, and ask your concurrence to the same.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

Mr. Pickler was granted unanimous consent and introduced

House Bill No. 107. A bill for an act providing for a clerk for the Appropriation Committee.

Which was read the first time.

And,

On motion the rules were suspended, the bill

Read the second and third times and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Johnson, Miller, Martin, McCall, McCumber, Oliver, Pickler, Pierce, Pugh, Riddell, Roach, Southwick, Stevens, Smith, Sprague, Stebbins, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Larson, Langan, Myron, McHugh, Parshall, Ruger, Swanton, Stewart, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Gregg, Huntington, Hobart, Morgan, Runkle, Steele, Scott.

So the bill passed and its title was agreed to.

Mr. Oliver moved

That the rules be suspended, and the House refer back to first reading of Council bills,

Which motion prevailed.

Also,

That the rules be suspended and

Council Bill No. 6

Be read the second and third times and put upon its final passage,

Which motion prevailed.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Larson, Langan, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Hobart, Huntington, Johnson, Myron, Morgan, McHugh, Steele, Swanton, Scott.

So the bill passed and its title as amended was agreed to.

The Speaker announced his signature to

Council Bills Nos. 8, 65 and 36.

MESSAGES FROM THE COUNCIL.

BISMARCK, Dak., Jan. 29, 1885.

MR. SPEAKER:

I herewith transmit

Council Bill No. 95. A bill for an act to change the name of St. James Episcopal Church, of Jamestown.

Also,

Council Bill No. 32. A bill for an act in relation to the bonds and coupons issued by the township of Elk Point.

Also,

Council Bill No. 84. A bill for a Joint Resolution providing for the purchase of water for Capitol building.

Also,

Council Bill No. 79. A bill for an act to amend section 3 of chapter 63 of Laws of 1883.

Also,

Council Bill No. 100. A bill for a Joint Resolution authorizing the President of the Council and Speaker of the House to appoint an Assistant Enrolling and Engrossing Clerk, and an Assistant Clerk of the Council and House.

All of which they have passed, and to which they respectfully ask your favorable consideration.

A. W. HOWARD,
Chief Clerk.

EXECUTIVE MESSAGES.

EXECUTIVE OFFICE, BISMARCK, Dak., Jan. 30, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 11. A bill for an act to legalize a certain ordinance of the town of Wahpeton, and to legalize the issue of certain bonds thereunder.

Also,

House Bill No. 26. A bill for a Joint Resolution that a committee of twelve be appointed to consider the best measure to secure the division of the Territory and the admission of the Southern half.

GILBERT A. PIERCE,
Governor.

COMMITTEE OF THE WHOLE.

On motion of Mr. DeWoody,

The House resolved itself into a Committee of the Whole for the consideration of unfinished business.

When the committee arose the following report was made:

MR. SPEAKER:

Your committee have considered the report of the committee on Conference as to

House Bill No. 10,

As amended by the Council,

And do recommend that the report of the committee, as made to the House, be adopted.

On motion of Mr. Blakemore,
The report was adopted and
The Council amendments concurred in.

Mr. Roach moved
The House adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

NINETEENTH DAY.

BISMARCK, Saturday, Jan. 31, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,
The Speaker presiding.

Prayer by the chaplain.

Roll call.

Messrs. Huntington, Morgan, Steele and Scott reported absent by reason of service at St. Paul, conferring with the Minnesota Legislature.

Messrs. Johnson and Oliver were excused on account of illness.

Mr. Bayard asked unanimous consent that Dr. Wear be allowed a seat on the floor.

Which was granted.

Mr. Eldredge asked unanimous consent that H. J. Gloper be allowed a seat on the floor.

Which was granted.

PETITIONS AND COMMUNICATIONS.

Mr. Stewart presented the following communication, which was referred to the committee on Counties:

To the Honorable Members of the Legislative Assembly of the Territory of Dakota:

GENTLEMEN:

We, the undersigned, appointed a committee by the County Commissioners association of Dakota to arrange and place before your honorable body the recommendations of a recent convention held in Bismarck, beg permission to fulfill our engagement in this respect.

The present condition of many of the statutes relating to county government in its various phases, is such that the commissioners, upon whom devolves the duty of carrying out those laws, feel it to be in the interest of the people of the Territory that certain changes should be made, whereby the machinery of municipal control can be more equitably and intelligently administered.

From conversations with honorable members of both houses of the legislature the commissioners, when in convention, expressed themselves satisfied that the subject would receive the care and attention in the legislature that its extent and importance deserves, and were thereby encouraged in their effort to discuss matters of interest, and by so doing be better enabled to carry out the laws framed for their guidance, to the best advantage of the people in their various counties.

In making these suggestions to your honorable body, we trust our motives will not be misunderstood.

We are satisfied the people's interests are safe in your hands and will not be overlooked, but that such legislation will be passed as the necessities for our growing Territory demand.

We have, however, considered a few points of importance in some of the different branches of county government and we respectfully append hereto various suggestions to which the commissioners would ask you to give such consideration as can be spared from other equally important measures.

We have simply mentioned a few of what we consider the leading questions. There are many others of minor importance that the altering or amending will depend upon what is done with those quoted.

We have endeavored, as far as possible, to arrange our work so as to conform to the committees of the Legislature and trust that it will receive a favorable reception.

Respectfully submitted,

J. C. GILL,
Commissioner Cass county.
E. M. FULLER,
Commissioner Burleigh county.
BUDD REEVE,
Commissioner Traill county.
J. W. COLLINS,
Commissioner Nelson county.
E. O. FAULKNER,
Auditor Walsh county.

BISMARCK, January 29th, 1885.

Be it Resolved, That in the opinion of this association legislation is urgently needed in the following directions:

1st. That each city, village and township treasurer be required to send a duplicate balance sheet to county auditor showing amount of cash received from county treasurer, amount paid out of each fund and amount still on hand, this to be made out and include all cash received and paid out up to and including the 31st of January of each year.

2d. That the city, village and township treasurers shall send to county auditor, not later than the 7th of February each year, such report.

3d. That the county auditor shall examine and check each account and compare amount shown as received from county treasurer with the auditor's books, and shall forward to the township clerk, five days prior to the annual election of the city, village or township, one of the treasurer's reports with auditor's certificate as to correctness thereof.

4th. That city, village or township treasurers failing to send in duplicate report to county auditor, as provided, shall not be entitled to any remuneration for services as such treasurer.

5th. That the last part of section 100, on page 252 needs revising.

6th. That we recommend a simpler drainage law be introduced, as the present one is too complicated.

1st. That the clause in relation to the care of the poor be so amended as to clearly make it the duty of township, city and village authorities to care for the temporary poor in its jurisdiction, and that the county commissioners be only required to provide for permanent paupers who are likely to become fixed charges.

2d. That townships, cities and villages be authorized to make a levy up to two mills on their assessable valuation for care of poor, and that an overseer shall be elected whose duty it shall be to attend to the poor.

3d. That the county commissioners of any county having a valuation of three million dollars ($3,000,000) or over, shall be empowered to purchase a poor farm, when they may decide it advisable to do so, and that a special levy of not more than two mills on the dollar of assessable valuation shall be allowed for three consecutive years, to purchase land, erect buildings and stock said poor farm.

4th. That an overseer shall be appointed and other necessary rules made to control said poor farm.

5th. That township, city and village clerks shall be required to advise the county auditor, within fifteen days after election or appointment, the names, post office address and terms of office of each officer, which shall be recorded and kept in a book provided for that purpose.

6th. That the county auditor shall furnish each township clerk with a certified copy of the equalized assessment list of his township, for which he shall be allowed three dollars ($3) from each township.

7th. That each city, township and village clerk shall send levy of taxes to be raised for current year to county auditor, not later than July 20, of each year.

1st. That the school law should be so amended that all expenses of schools, school officers and school elections be paid from the school fund of shcool township treasurers.

2d. That the School Township Law and the Civil Township Law should be so revised that the provisions concerning boundaries will not be conflicting, but be clear and definite, that the boundaries of the school and civil townships be one and the same.

3d. That the counties now working under the district law should not be compelled to adopt the township system, but that its adoption be left optional with the board of county commissioners.

4th. That all other counties, and all new counties to be hereafter organized shall work under the school township system; and that said School Township Law should be revised in its arrangement and phraseology so as to be more complete.

5th. That in all newly organized counties the commissioners shall, as early as practicable, establish the boundaries of civil and school townships, but no school township should be organized until the commissioners are satisfied that the township has a valuation of $10,000 and a school population of twenty-five children.

We further specially urge that all money collected from licenses for selling intoxicating liquors, for fines, penalties and forfeitures be hereafter paid into the general county fund of the county where collected, instead of the school fund, and this to take effect from and after July 1st, 1885, except in the counties of Cass, Grand Forks and Traill, where it is necessary at once;

That we urge the creation of a Territorial Examiner, whose duty it shall be to examine all books, papers and accounts of the different county officers in each county, at least once a year, or oftener if he thinks necessary, and a report of each visit shall be made to the commissioners of such county;

That on account of the present revenue and tax law being difficult to understand on many points, we would specially urge that a thorough revision be made of the question as a whole.

The Tax Commission Bill not being ready yet, we have not had an opportunity to examine it. The Hon. George Walsh has prepared one which we have looked over, and are of opinion that it is far preferable to the one now in force, and we hope to see an act based upon all or many of its provisions, become law at the present session.

We would further specifically urge that railroad lands be subject to taxation in the counties in which they are situated as soon as certificates of title are issued, and prior to the issuance of United States patents, this being the system adopted in the case of farm lands.

That the present system of taxing the earnings of railroads, and dividing the amount according to the mileage in each county, is approved, and that express and telegraph companies be taxed on the same system.

That the present system of taxing insurance companies be cancelled, and each county allowed to tax the premiums in the manner provided for in the law in force prior to the last session of the legislature.

That where railroad companies go into business other than as common carriers, such as the selling of coal, etc., then they shall be taxed in the same manner as merchants.

That the present dates for listing property and other matters bearing thereupon be so stated as to be intelligible to the officers who carry out the law.

That the taxation of moneys and credits be revised so as to secure the better assessment of the same.

That greater obligation be placed upon the assessors, with a view of their giving a fairer basis of assessment in regard to all classes of property.

That a meeting of county and township assessors be provided for prior to the commencing assessing for the purpose of getting assessment blanks and instructions.

That in any county not organized into civil townships, the assessor shall be elected for each commissioners' district.

That the mode of preparing the tax lists be altered so as to provide a simpler form of extending taxes by extending all, except special taxes, as one total, dividing up the different funds proportionately at each settlement.

That the treasurer be required to hand the county clerk or auditor the duplicate tax receipts at the close of each day.

That the school township and other special levies be sent to county clerk or auditor not later than August 1st of each year. and that township clerks shall send delinquent road tax abstracts not later than October 1st.

That the duplicate tax list shall be handed to the treasurer on the first Monday in January of each year.

That all taxes shall become delinquent on June 1st, after which date and prior to October 1st, the county treasurer shall distrain upon all unpaid personal property taxes, when he shall report to county clerk all personal property taxes he is unable to collect, and that on October 1st real estate shall be sold for unpaid taxes, and real estate for which no bids are received to be bought in for the Territory.

That penalty and interest shall be placed in the county general fund.

That the territorial treasurer shall prepare each year the following exhibit of all counties on one form or statement.

1st. The name of county, in alphabetical order.

2d. Assessed valuation.

3d. Rate of territorial assessment.

4th. Total amount of delinquent territorial taxes from previous years.

5th. Amount of territorial tax paid in cash in current year.

6th. Amount delinquent carried forward to next year's report.

7th. That a copy of this statement be sent to the board of county commissioners of each county within sixty (60) days of the close of each fiscal year.

1st. That no change be made in fees or commissions of treasurer until they amount to $3,000 per annum. When they exceed that amount three-fourths of the excess to be paid into the general county fund; the treasurer to pay all his clerk hire; and that he be allowed no compensation for registering county warrants.

2d. That the pay of the county auditor be one and one-half mills on the dollar of equalized valuation until equalized valuation reaches $2,000,000, and that he receive one-half of a mill on all sums in excess of that amount, he paying for clerk hire necessary to run his office.

3d. That the register of deeds continue to receive his fees as formerly until they reach the amount of $4,000 per annum. When his fees exceed that amount one-half the excess to be paid by him into the general fund of the county. The register of deeds to pay all his clerk hire.

1st. That the register of deeds should be required to keep a grantor and grantee index in addition to other books without receiving any additional remuneration therefor. Further, that the register of deeds shall be required to furnish the assessor with statements, showing the amounts of unsatisfied chattel mortgages on record on the date of listing personal property within........days after said date, such statement to show the date, name and address of the mortgagor and the amount, such statement to be prepared without further remuneration.

2d. That no deeds or transfers of real estate or mortgages shall be placed on record until the county clerk or county auditor has first certified that all taxes of every nature standing against said real estate or the grantor thereof has first been paid, for which a fee of twenty-five (25) cents may be allowed in each case.

3d. That in counties where the assessed valuation exceeds one million dollars ($1,000,000) the office of county auditor should be created, which office shall supersede that of county clerk, with adequate compensation provided therefor.

4th. That the office of county auditor shall be appointive by the board of county commissioners and not elective as now.

5th. That the salary or pay of the county assessor be fixed by the board of county commissioners.

6th. That each assessor be required to obtain statistics when assessing properly, such statistics to show in concise form any information in regard to crops, etc,, as may be beneficial to the county.

Further, that the county auditor shall make an abstract of the whole and keep it on file in his office.

7th. That when a vacancy occurs on the county board, the county treasurer be called in if there is a tie in the vote filling the vacancy.

1st. That on account of the large number of satisfied chattel mortgages not cancelled in the books of registers of deeds of the various counties, we would recommend that an act be passed making it the duty of the grantee of each chattel mortgage to cancel it in the record books within fifteen (15) days after the satisfaction of said mortgage, and prescribing a penalty for the non-performance of said duty.

2d. That a change be made in the law of foreclosing chattel mortgages so as to give some better consideration for the interests of the mortgagor, and that only officers who have given bonds shall seize property and conduct sales.

We would urge that prior to any foreclosure the sheriff or officer should be required to serve notice on the mortgagor, giving him ten (10) days notice of time and place of sale of mortgaged articles, and in case of non-residents that ten (10) days notice be given by publication once, in some newspaper published nearest the place where the property was seized.

Further, That the practice of inserting large sums as attorney's fees is wrong. We think that in sums of less than $100 the fee should not be more than $10, and in sums exceeding $100, not to exceed 10 per cent. of the amount secured.

Further, That no attorney's fees should be allowed excepting where an attorney of record, and actually resident of the Territory, is employed, and that a full report of all proceedings had under foreclosure be made under oath and filed with the register of deeds in each case.

We recommend that in real estate mortgages the clauses referring to attorney's fees, and attorneys employed to foreclose chattel mortgages apply also to the foreclosure of real estate mortgages.

3d. That on account of the large bills for legal expenses sent in by justices of the peace, to be paid by the county, in trivial and other improper cases, we would urge that some greater restrictions than are afforded at present be thrown around the issuance of warrants or other process in which the county or Territory may be a party, and likely to be called upon to pay costs.

1st. That firms doing business as abstract clerks or supplying abstracts of title shall be required to furnish a bond to the Territory for like amount as required from the register of deeds in the county in which their business is conducted, the bond to be approved by county commissioners and filed in the office of the clerk of the court.

2d. That all chattel mortgages shall be filed with the township clerk of the town in which the property is located and that he shall keep a record similar to that now kept by each register of deeds.

3d. That for filing and releasing each chattel mortgage he shall receive the sum of ten (10) cents.

Mr. Bayard introduced the following resolution:

Resolved, That the sergeant-at-arms of the House and his subordinate officers be and they are hereby directed to assist the Secretary of the Territory to unpack and arrange in order on the shelves provided for that purpose, the

Territorial law library, in order that it may be made available for the use of the House.

Which resolution was adopted.

REPORTS OF STANDING COMMITTEES.

BISMARCK, January 31, 1885.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 67,
Beg leave to report that they have carefully considered the same, and respectfully recommend that it do not pass.

C. E. HUSTON,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 54,
Would report that we have considered the same and recommend its passage.

Also,
House Bill No. 54,
Would report that we have considered the same and recommend its passage.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred
Substitute for
Council Bill No. 18. A bill for an act providing for the erection and construction of a court house and jail for the county of Brookings, Dakota Territory,
Have had the same under consideration, and report it back and recommend that it do pass.

E. B. DAWSON,
Chairman.

INTRODUCTION OF BILLS.

Mr. Pickler introduced—
House Bill No. 108. A bill for an act providing for a territorial librarian,

Which was read the first time.
Mr. Southwick introduced—

House Bill No. 109. A bill for an act to establish a portion of the school township of Denver, in Kingsbury county, Dakota. Also a portion of the school townships of Winsor and Bangor, in Brookings county, Dakota, as an independent school district, to be designated as Independent School District No. 1, of Kingsbury county, Dakota,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 110. A bill for a memorial protesting against the removal of the Deadwood land office,

Which was read the first time.

Mr. Sprague moved

The rules be suspended, and that the bill be

Read the second and third times and put upon its final passage.

Which motion prevailed.

The roll being called there were 36 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, Johnson, McCall, Morgan, McHugh, Oliver, Steele, Smith, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

SECOND READING OF HOUSE BILLS.

House Bill No. 79. A bill for an act to amend section 468 of Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 85. A bill for an act to provide justices of the peace with a treatise upon justices' courts, school laws and township organization,

Read the second time and referred to the committee on Judiciary.

House Bill No. 87. A bill for an act to create a new sub-division of the Sixth Judicial District,

Read the second time and referred to the committee on Judiciary.

House Bill No. 88. A bill for an act relating to proofs of the existence of corporations,

Read the second time and referred to the committee on Judiciary.

House Bill No. 89. A bill for an act to amend section 1, chapter 62 of the Laws of 1881,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 90. A bill for an act to amend sections 1 and 5, chapter 43 of Laws of 1883, and for other purposes,

Read the second time and referred to the committee on Judiciary.

House Bill No. 91. A bill for an act to amend chapter 22 of the Political Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 92. A bill for an act creating Nelson county as a legal sub-division, and providing for a term of court therein,

Read the second time and referred to the committee on Judiciary.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 32. A bill for an act in relation to the bonds and coupons issued by the town of Elk Point,

Was read the first time.

Council Bill No. 79. A bill for an act to amend section 3, chapter 63, Laws of 1883,

Was read the first time.

Council Bill No. 84. A bill for a Joint Resolution providing for the purchase of water for Capitol building,

Was read the first time.

Council Bill No. 90. A bill for a Joint Resolution authorizing the President of the Council and Speaker of the House of Representatives to appoint stenographers for the respective houses,

Was read the first time.

Council Bill No. 95. A bill for an act to change the name of the St. James Protestant Episcopal church of Jamestown, Dakota,

Was read the first time,

And by unanimous consent the rules were suspended,

The bill read the second and third time and put upon its final passage.

The roll being called there were 32 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward, of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Johnson, McCall, Morgan, Oliver, Pugh, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 100. A bill for a Joint Resolution authorizing the President of the Council and Speaker of the House of Representatives to appoint an assistant enrolling and engrossing clerk, and an assistant clerk of the Council and House of Representatives,

Was read the first time.

MESSAGES FROM THE COUNCIL.

BISMARCK, Jan. 31, 1885.

MR. SPEAKER:

I herewith tansmit

Council Bill No. 121. A bill for an act extending the time in which taxes shall become delinquent for the year 1884, which has had its first, second and third readings,

And your concurrence in the same is respectfully requested.

W. G. EAKINS,
Assistant Clerk.

By unanimous consent the House returned to first reading of Council Bills.

The rules were suspended, and

Council Bill No. 121. A bill for an act extending the time in which the taxes shall become delinquent for the year 1884,

Was read the first, second and third times and put upon its final passage.

The roll being called there were 35 votes in the affirma- and 6 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stong, Ward, of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Martin, Ruger, Stewart, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, Johnson, Morgan, Oliver, Steele, Scott.

Mr. McHugh was excused until Tuesday on account of illness.

So the bill passed and its title was agreed to.

Mr. Williams moved
To suspend the rules, and that
Council Bill No. 90
Be read the second time.

Which motion was lost.

The Speaker announced his signature to
House Bill No. 10.

Mr. Williams moved
To suspend the rules, and that
Council Bill No. 100. A bill for an act providing for assistant clerks of the Council and House,

Be read the second and third times.

Mr. Van Osdel moved
To amend, and to lay the bill on the table.

Which motion prevailed.

Mr. Pickler gave notice of a motion to reconsider the vote by which
Council Bill No. 100
Was tabled.

THIRD READING OF HOUSE BILLS.

House Bill No. 54. A bill for an act legalizing the incorporation of Valley Springs,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Coe, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting;
Messrs. Barnes, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Johnson, McCall, Morgan, Oliver, Pugh, Steele, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

On motion,
House Bill No. 67
Was referred to the general orders for Monday, February 2, 1885.

REPORTS OF STANDING COMMITTEES.

BISMARCK, Jan. 31, 1885.

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills, to whom was referred
House Bill No. 10,
Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 54
Was read the third time and put upon its final passage.
The roll being called, there were 35 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson,

DeWoody, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Mr. Sprague voting in the negative.

Absent and not voting:

Messrs. Eldredge, Huntington, Hobart, Johnson, McCall, Morgan, McHugh, Oliver, Runkle, Steele, Scott, Stong.

So the bill passed and its title was agreed to.

REPORTS OF STANDING COMMITTEES.

BISMARCK, Jan. 31, 1885.

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills beg leave to report that we have this 31st day of January, 1885, at 4 o'clock p. m., presented

House Bill No. 10

To His Excellency the Governor for his signature and approval.

V. V. BARNES,
Chairman.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 18

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Huntington, Hobart, Johnson, McCall, Morgan, McHugh, Oliver, Steele, Scott, Stong.

So the bill passed and its title was agreed to.

By unanimous consent Mr. Coe withdrew

House Bill No. 102
From the files.

And on motion,

The rules were suspended and the House returned to consideration of second reading of House Bills.

And

House Bills Nos. 101 and 103, relating to the appointment of committees to visit the penal, charitable and educational institutions of the Territory,
Were taken up.

The Speaker announced his signature to
Council Bill No. 121. A bill for an act relating to the time when taxes for 1884 became delinquent.

By unanimous consent,
House Bill No. 103 was amended so as to provide that the committee shall consist of three members of the House and two of the Council.

Mr. Swanton moved
To lay the bill on the table.

Which motion was lost.

Mr. Smith, by unanimous consent,
Amended the bill by including "educational institutions," excepting the Normal School at Spearfish.

Mr. Southwick moved
To commit House Bills Nos. 101 and 103 to committee on Public Buildings.

Which motion was lost.

House Bill No. 103
Was then read the second and third times and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 8 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Helvig, Hutchinson, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Sprague, Stebbins, Stewart, Van Osdel, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. DeWoody, Gregg, Langan, McCumber, Swanton, Smith, Ward of Turner, Mr. Speaker.

Absent and not voting:
Messrs. Huntington, Hobart, Johnson, McCall, Morgan, McHugh, Oliver, Steele, Scott, Stong.

So the resolution passed and its title was agreed to.

Mr. Van Osdel moved that
House Bills Nos. 101 and 103
Be referred to general orders Monday next.

Which motion was lost.

Mr. Blakemore gave notice of a motion to reconsider vote by which the bill passed.

MESSAGES FROM THE COUNCIL.

BISMARCK, January 31, 1885.

MR. SPEAKER

I am instructed by the Council to inform you, in answer to your request for the return to the House of
Council Bill No. 65. A bill for an act to change the name of Ordway, in Brown county,
That the bill has been presented to the Governor for signature, and is not in the possession of the Council.

W. G. EAKINS,
Assistant Clerk.

House Bill No. 101
Was then read the second time and referred to committee on Penal Institutions.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., Jan. 31, 1885.

To the Speaker of the House:

The following telegram, received this day from the Director General of the World's Industrial and Cotton Exposition, is herewith transmitted for the information of the House.

GILBERT A. PIERCE,
Governor.

"The Board of Management of World's Exposition cordially invite you, your staff, and the members of your Legislature to visit the Exposition whenever you and they may deem fit, at which time the proper courtesies will be extended." Yours,

[Signed] E. A. BURKE.

Which was referred to the committee on Territorial Affairs.

RESOLUTIONS AND MEMORIALS.

Mr. Smith, by unanimous consent, introduced
A Joint Resolution known as
House Bill No. 111. A bill for an act for the appointment of a committee to visit, examine and report upon the educational institutions of the Territory,

Which was read the first time.

By unanimous consent,
The rules were suspended, the resolution read the second time and
Referred to the committee on Education.

Mr. Coe was granted unanimous consent and introduced
House Bill No. 112. A bill for a Joint Resolution for the appointment of a committee on Apportionment,

Which was read the first time.

COMMITTEE OF THE WHOLE.

The House then resolved itself into Committee of the Whole for the consideration of general orders,
Mr. DeWoody in the chair.

Mr. Williams moved
That the committee recommend that the consideration of general orders for to-day be postponed until Monday.

Which motion prevailed.

Mr. Williams moved
That the committee rise and report.

Which motion prevailed.

Mr. Williams moved
That the report of the Committee of the Whole be adopted.

Which motion prevailed.

Mr. Pickler submitted report of Committee of the Whole of previous day, as follows:

MR. SPEAKER:
The Committee of the Whole having in consideration
House Bill No. 45. A bill for an act to amend section 47 of chapter 27 of the Political Code, entitled "Elections,"
Do respectfully report that they have considered the

bill, and do recommend the passage of the bill as amended by the committee, excepting that section 2 of the original bill be stricken therefrom, and section 3 of the original bill become section 2 of the amended bill.

They have further considered

House Bill No. 19

And the substitute therefor, proposed by the committee on Judiciary,

And do recommend the adoption of the substitute bill reported from the committee on Judiciary.

And have also considered

House Bill No. 34. A bill for an act to prevent and suppress the spread of pleuro-pneumonia, etc., with the amendments thereto proposed by the committee on Agriculture,

And do recommend the passage of the bill as amended by the committee on Agriculture.

J. A. PICKLER,
Chairman.

Mr. Williams moved

That the consideration of the report be postponed to come up under the head of unfinished business Monday.

Which motion prevailed.

Mr. Smith asked unanimous consent for the re-committal of

House Bill No. 34

To committee on Agriculture.

Which was granted.

MESSAGE FROM THE COUNCIL.

MR. SPEAKER:

I have the honor to transmit herewith

House Bill No. 18,

Correctly engrossed as amended by the Council, as requested by your House, and respectfully request that your House concur in the amendments passed by the Council, and pass the bill herewith returned as amended by the Council.

Very Respectfully,
A. W. Howard,
Chief Clerk Council.

Mr. Blakemore moved

That the House adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

TWENTY-FIRST DAY.

BISMARCK, Monday, February 2, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

Mr. Speaker presiding.

Prayer by the Chaplain.

Roll call.

Messrs. Huntington, Morgan and Scott excused on account of service at St. Paul.

Messrs. McHugh, Oliver and Stong excused on account of illness.

PETITIONS AND COMMUNICATIONS.

Mr. Ruger presented the following petition, which was referred to the committee on Counties:

To the Legislature Assembly of the Territory of Dakota:

Your petitioners, residents and citizens of Bottineau county, do most respectfully state that it has come to our knowledge that an effort has been made by parties interested in McHenry county to secure the passage of an act of the Legislative Assembly changing the boundary line between said county and Bottineau county by cutting off townships from the latter and adding them to the former.

Against such proposed changes we earnestly protest. These townships which it is proposed to transfer to McHenry county constitute the greater part of our grazing district, and to deprive us of the benefits of taxes and the benefits that would otherwise accrue from a stock country.

Our country is newly organized, its inhabitants few, its territory none too large, but hardly the average size of counties and has nothing but personal property that is yet taxable.

To change our boundary line on either the east or the south side would produce great injury to the county and greatly reduce its source of revenue.

At present the population is mostly in the eastern tier of townships and the county seat is in section 19, township 162, range 75.

Cattle in large uumbers are being brought into the southern part of the county, which is inviting the attention of stock men.

We therefore petition your honorable body that the boundary line of the county remain undisturbed and not changed merely to suit the interest of a few individuals in McHenry or Roulette counties.

January 2, 1885.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were read:

MR. SPEAKER:

We, your committee to whom was referred

House Bill No. 25

Beg leave to report that we have examined the same and all the circumstances connected therewith, and that we recommend the substitute hereto annexed for said bill.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 56. A bill for an act authorizing the county commissioners of Richland county to issue bonds of said county for the purpose of paying certain indebtedness thereof,

Have had the same under consideration, and report it back with amendments, and recommend that the bill do pass as amended.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Public Printing, to whom was referred

Council Bill No. 59

Beg leave to report, and recommend that the same do pass.

A. J. PARSHALL,
Chairman.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred

House Bill No. 48. A bill for an act appropriating funds for the Territorial Normal School at Spearfish, Dakota,

Would respectfully report that they have had the same under consideration, and recommend that the bill do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee on Judiciary, to whom was referred

Council Bill No. 23. A bill for an act to protect the passage of fish in the James or Dakota and Cheyenne rivers, in Dakota,

Would report in favor of the bill as amend, and would further recommend that the same be considered favorably and passed by this House.

EBEN W. MARTIN.
Chairman.

INTRODUCTION OF BILLS.

Mr. Van Osdel introduced—

House Bill No. 113. A bill for an act to provide for the taxation of lands when certificates of title are issued,

Which was read the first time.

Also,

House Bill No. 114. A bill for an act to amend section 13, article 2, of an act entitled an act to amend the charter of the city of Yankton,

Which was read the first time.

Mr. Ward. of Turner, introduced—

House Bill No. 115. A bill for an act to locate the county seat of Turner county,

Which was read the first time.

Mr. Dawson introduced—

House Bill No. 116. A bill for an act to amend section 5, chapter 33, of the Special Laws of 1883, relating to county commissioners.

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 117. A bill for an act creating and defining the sub-division of the Third Judicial District,

Which was read the first time.

Mr. Parshall (by request) introduced—

House Bill No. 118. A bill for an act to authorize loans of credit in aid of the erection of flouring mills,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 119. A bill for an act amending sections 389, 390 and 416 of the Civil Code,

Which was read the first time.

Mr. Smith introduced—

House Bill No. 120. A bill for an act appropriating funds for the salaries of employes of the Legislative Assembly,

Which was read the first time.

Mr. Williams was granted unanimous consent, and presented the following petitions, which were

Referred to the committee on Counties:

Gentlemen of the Council and House of Representatives:

We, the undersigned inhabitants of township 143, range 81, being a portion of the north row of townships in Burleigh county, humbly petition your honorable body not to pass or allow the bill to become a law, introduced in the House by the Hon. E. A, Williams, wherein it provides for the cutting off or segregating of the north row of townships from this county and joining unto McLean county.

This we earnestly protest against for the following reasons:

First. All the public buildings have yet to be erected in the latter county, which will cause a very high rate of taxation for many years to come; and

Secondly. The management of her county affairs has solely been, and is at the present day, under the dictations of one man, which is very obnoxious and contrary to our Republican form of government.

The object of this bill is to give Washburn more territory on the south of the present county seat, thereby favoring those interested in that town, to the exclusion of your petitioners.

We also claim that it is not fair nor just to be sold out of one county to another against our will to suit the private interests of any one party.

For these and other reasons we earnestly pray that your honorable body will defeat any and all such bills tending to reduce the size of Burleigh county.

To the Honorable, the Legislative Assembly of theTerritory of Dakota:

The undersigned petitioners, being citizens and taxpayers of the county of Burleigh, beg leave to state that they are informed that a bill numbered

House Bill No. 5,

And known as "a bill for an act defining the boundaries of Kidder county," has been introduced to your honorable body, the declared purpose of which is to take from the easterly side of the county of Burleigh eight townships and add the same to Kidder; and

WHEREAS, There has been or shortly will be introduced to your honorable body another bill of like tenor for the purpose of taking from said Burleigh county, upon the north, a large amount of territory, to add the same to the county of McLean; and

WHEREAS, There exists no sound reason for altering the boundaries of said county of Burleigh in the manner proposed by said measures, or either of them, nor will any public good be subserved to the inhabitants of the said counties of Burleigh, Kidder or McLean thereby, but on the contrary both of said measures are in direct opposition to the wishes and interests of the people of Burleigh county, as greatly increasing their burden of taxation and otherwise injuring their said county; that the said measures are prompted, as your petitioners verily believe, solely by corrupt motives of private gain and the furtherance of certain selfish personal schemes.

Wherefore your petitioners respectfully petition your honorable body to refuse assent to both of said measures for the reasons set forth above and for the further reason that both of said measures are introduced for the sole and corrupt purpose of committing a fraud upon the people of the said county of Burleigh, to answer the private and speculative ends of a few individuals.

And your petitioners will ever pray.

Mr. Stevens was given unanimous consent to introduce the following, which was

Referred to the committee on Counties.

To the Honorable, the General Assembly of the Territory of Dakota:

The undersigned, your petitioners, being citizens and taxpayers of the county of Kidder, Dakota Territory, would respectfully represent that they have heard that a move is to be made during the present session of your honorable body, looking to a division and changing of the present boundaries of Kidder county. We believe that any division of the county in this respect is not desired by our people, and that the only object sought for in this direction is for the sole purpose of benefitting one or two individuals. Many citizens and taxpayers have made investments and valuable improvements on the presumption and natural belief that the county seat would eventually be located as near as possible in the center of the county, independent of any personal or local interests, and not that the boundary lines of the county would be changed for the sole purpose of benefitting any one person or locality at the expense of the many. Your petitioners would respectfully represent that they have been informed (unofficially) that the boundary lines of many of the counties in the territory are to be changed during the present session, and, while deprecating any such change, should one be made affecting Kidder county, we would respectfully urge that the division be made in accordance with the diagram shown herewith.

(Diagram and signatures.)

CONSIDERATION OF MESSAGES FROM THE COUNCIL.

House Bill No. 18. As amended by the Council, providing for the employment of Assistant Sergeant-at-Arms and Postmaster of the Council and House, was,

On motion of Mr. Van Osdel,

Referred to the committee on Appropriations.

The following messages were then received and read:

MR. SPEAKER:

I transmit herewith

Council Bill No. 50. A bill for an act to provide funds for the construction of a dormitory and the completion of the building for the Dakota School for Deaf Mutes and other purposes.

Also,

Council Bill No. 88. A bill for an act to authorize the purchase and distribution of two hundred and fifty copies of the third volumes of Dakota Supreme Court Reports.

Also,

Council Bill No. 102. A bill for an act creating the office of Commissioner of Immigration, and providing for the appointment of a Commissioner of Immigration for the Territory of Dakota,

All of which have passed the Council, and your concurrence is respectfully requested.

I herewith transmit

Council Bill No. 70. A bill for an act entitled an act to provide funds for finishing the main building of the University of Dakota, and to erect an additional building for dormitories, and for other purposes,

To which your concurrence is respectfully requested.

I have also to inform you that the Council has this day concurred in the

House amendment to

Council Bill No. 44. A bill for an act authorizing the county commissioners of McCook county to fund their indebtedness,

By adding the House amendment, reading "and other purposes," to the title of the bill.

Also,

That the Council has this day passed

House Bill No. 110. A bill for a memorial protesting against the removal of the Deadwood land office.

A. W. HOWARD,
Chief Clerk.

SECOND READING OF HOUSE BILLS.

House Bill No. 93. A bill for an act to create a Territorial Department of Agriculture, etc.

Read the second time and referred to the committee on Agriculture.

House Bill No. 95. A bill for an act to amend sections 12 and 21, chapter 112 of the Laws of 1883.

Read the second time and referred to committee on Highways, Bridges and Ferries.

House Bill No. 104. A bill for an act to provide for exemption of farm improvements and implements from taxation.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 105. A bill for an act establishing a fence law in Fall River and other counties.

Read the second time and referred to the committee on Agriculture.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I herewith return

House Bill No. 100. A bill for an act appropriating funds for the payment of assistant clerks and assistant sergeant-at-arms of the Legislative Assembly of Dakota,

Which the Council passed on the 31st ult.

Also,

Council Bill No. 39. A bill for an act to provide funds for completing the agricultural college at Brookings, Dakota, and amending certain sections of the Laws of 1883.

Also,

Council Bill No. 57. A bill for an act to locate, establish and endow a School of Mines for the Territory of Dakota.

To both of which your concurrence is respectfully requested.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

SECOND READING OF HOUSE BILLS.

House Bill No. 106. A bill for an act providing for a special election in McHenry county,

Read the second time and referred to the committee on Counties.

House Bill No. 108. A bill for an act providing for a territorial librarian, was

On motion of Mr. Van Osdel,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 112. A bill for a joint committee on Apportionment was,

On motion of Mr. Blakemore,

Laid on the table.

THIRD READING OF HOUSE BILLS.

House Bill No. 48. A bill for an act appropriating $5,000 for the maintenance of the Territorial Normal School at Spearfish,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller. Martin, McCall, McCumber, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Johnson, Morgan, McHugh, Oliver, Scott, Stong.

So the bill passed and its title was agreed to.

By unanimous consent,

House Bill No. 120

Was introduced by Mr. Smith,

Read the second time and referred to the committee on Appropriations.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 32

Read the second time and referred to committee consisting of members of the First Legislative District.

Council Bill No. 79

Read the second time and amended by Mr. Van Osdel by striking out January and inserting February, and referred to the committee on Judiciary.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 59

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. McCumber voting in the negative.

Absent and not voting:

Messrs. Huntington, Martin, Morgan, McHugh, Oliver, Stong, Scott, Van Osdel, Williams.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I transmit herewith a

Joint Resolution relating to Spink county, etc., which passed the Council on the 31st ult.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

CONSIDERATION OF COUNCIL BILLS.

By unanimous consent the rules were suspended and the House returned to consideration of messages from the Council and

The rules were suspended and the resolution

Was read the second and third times and put upon its final passage.

The roll being called, there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Martin, McCall, McCumber, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Larson, Miller, Morgan, McHugh, Oliver, Scott, Stong.

So the Resolution passed and its title was agreed to.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a

Committee of the Whole, for the consideration of general orders, with

Mr. Blakemore in the chair.

When the committee arose the following report was made by the chairman:

MR. SPEAKER:

Your committee have considered

House Bill No. 25. A bill for an act to change the boundary line of the county of Richland,

Together with the substitute therefor,

And do recommend the adoption of the substitute as reported by the committee on Counties.

Also,

Council Bill No. 23

As reported from the committee on Judiciary, with its report thereon, and do

Recommend the passage of the bill as amended.

Also,

House Bill No. 44

And do recommend that the bill be passed as reported.

Also,

House Bill No. 56

Together with the report of the committee on Ways and Means thereon, with the amendments proposed by the committee, and

Recommend its passage.

Also,

House Bill No. 67

Together with the report of the committee on Insurance recommending that it do not pass, and

Recommend that the bill be recommitted to the committee on Insurance.

JOHN T. BLAKEMORE,
Chairman.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., Feb. 2, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 10. A bill for a Joint Resolution and Memorial to Congress for division of the Territory, and the admission of the southern portion as a state.

GILBERT A. PIERCE,
Governor.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 100

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

The Speaker announced his signature to

House Bill No. 100. A bill for an act relating to pay of assistant clerks and assistant sergeant-at-arms.

PETITIONS AND COMMUNICATIONS.

Mr. Roach, by unanimous consent, presented the following invitation, which was

Read and referred to the committee on Education:

To the Honorable Speaker of the House of Representatives:

On behalf of the regents of the University of North Dakota, and the citizens of the city of Grand Forks, I hereby extend to you, and through you to the officers and members of the House, an invitation to visit on Saturday next said University of North Dakota and city of Grand Forks.

W. N. ROACH.

UNFINISHED BUSINESS.

Mr. Williams moved

To postpone the consideration of

Substitute for
House Bill No. 19
Until Monday next.

Mr. Pickler moved.
To lay the motion on the table.

Which motion prevailed.

Mr. DeWoody moved
That the report of the committee be accepted and adopted.

Mr. Swanton moved
The previous question.

Which motion prevailed.

And upon putting the main question, the report of the committee was adopted.

Mr. Swanton moved
To adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

TWENTY-SECOND DAY.

BISMARCK, Tuesday, February 3, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. McCall, Steele and Scott absent at roll call.

Messrs. McCall and Scott were excused by reason of illness.

Mr. Steele reported subsequently.

PETITIONS AND COMMUNICATIONS.

BISMARCK, February 3, 1885.

MR. SPEAKER:

Referring to the recent resolution of your honorable body requesting that the books of the territorial library be at once placed upon the shelves prepared for them, I beg to say that I have not put the books upon the shelves for the reason that I do not consider it safe to leave them in so public and exposed a place as that provided for the purpose. The risk of leaving them in the hall of a public building is increased by the fact that there is, so far as I am aware, no one at present authorized to assume control of the building, and upon whom may properly be imposed the care of anything left in it. I was informed by the chairman of the Capitol commission some weeks since, that he had ordered from Chicago a woven wire screen or partition to divide the proposed library from the hall, the arrival of which has been daily expected for some time past. If, however, it is not deemed advisable to wait longer for this wire partition, it is entirely practicable to cut off the library from the hall by a partition of lattice work or pickets; and if the construction of such partition shall be authorized and provided for by the Legislature, it will be promptly erected and the library set up without delay.

Respectfully,
JAMES H. TELLER,
Secretary.

To the Honorable Members of the Dakota Legislature, Bismarck, Dakota:

GENTLEMEN—We, the undersigned citizens of Dakota Territory, over twenty-one years of age, petition your honorable body to grant the right of suffrage to the women of Dakota on the same terms as now allowed to men. We ask this as a matter of expediency, believing her to be, as a class, as sober, as moral and as capable as he; we ask it as a matter of justice, because she submits to the laws and pays her proportion of the tax; and because it will better harmonize with the age in which we live, and promote sobriety, peace, morality, education and prosperity.

(Signed by numerous citizens of Huron.)

REPORTS OF STANDING COMMITTEES.

Mr. DeWoody by unanimous consent made an oral report of the committee of Indian Affairs, viz:

The visit of the committee to Sitting Bull, their reception by him and his suite, and generally that the heart of the big chief was glad, and his children enjoying the blessings conferred by the laws of the Territory.

MR. SREAKER:

The committe on Judiciary have considered

House Bill No. 62. A bill for an act providing for the collection of family expense and other debts, and respectfully recommend that it pass this House.

EBEN W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Education, to whom was referred the

Invitation of the Regents of the North Dakota University at Grand Forks, to visit said University on next Saturday, beg leave to report and recommend that the invitation be accepted, and that this House visit said University in a body on next Saturday.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 101. A bill for a Joint Resolution to provide for a committee to visit the Territorial Penitentiary at Sioux Falls, beg leave to report the same back and recommend that it do pass.

GEO. H. JOHNSON,
Chairman.

MR. SPEAKER:

We, the undersigned, a minority of the committee on Judiciary of this House, to whom was referred

House Bill No. 62,

Being unable to concur in the report of the majority of said committee, beg leave to submit a minority report, and state in support thereof, and as a reason why said bill should not pass and become a law, that said bill is class legislation, making unjust discrimination between certain classes of indebtedness that is no more sacred than many other kinds of indebtedness, and therefore should not pass.

A. L. SPRAGUE,
P. J. MCCUBMER.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

Council Bill No. 28. A bill for an act to allow the school township of Ordway, in Brown county, to issue bonds to fund outstanding indebtedness.

Also,

House Bill No. 82. A bill for an act to amend section 53 of chapter 40 of the Laws of 1883, and to provide what fund money paid into the county treasury for license to sell intoxicating liquors shall be applied,

Have had the same under consideration, and report them back, and

Recommend that they do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee to whom was referred the

Substitute for

Council Bill No. 30,

Would respectfully report that we have carefully considered the same, and

Recommend that the bill do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 120

Have had the same under consideration, and would respectfully report the substitute herewith back to the House, with the

Recommendation that it do pass.

J. A. PICKLER,
Chairman.

REPORTS OF SPECIAL COMMITTEES.

BISMARCK, Dak., February 3, 1885.

MR. SPEAKER:

Your special committee appointed under a joint resolution of the Legislative Assembly, to serve as a joint committee of conference, authorized and empowered to proceed to the capital of Minnesota and confer with a joint committee appointed for a similar purpose by the Senate and House of Representatives of the Legislature of Minnesota, there in session, upon the expediency of such legislation at this time as would tend to correct present abuses in the elevator system of handling grain, and promote and protect the interests of the wheat raiser of Minnesota and Dakota, beg leave respectfully to report:

That upon the arrival of your joint committee at St. Paul they were met by a committee of reception appointed by the joint committee of the Minnesota Legislature, and were shown every courtesy and attention during their stay which could add to their comfort and facilitate their labors.

Your joint committee met the joint committee of the Legislature of Minnesota in conference at different times during their stay in St. Paul, and the fullest discussion was had upon the objects of the joint conference. The terms of a bill which it was thought would meet the requirements of the case as presented before the joint committees of conference were practically agreed on. The bill which we have the honor to present herewith for the favorable consideration of this body will correspond, as your committee are assured, in all material points with the draft of a bill which is to be presented in both houses of the Legislature of Minnesota at an early date.

Very Respectfully,

[Signed] W. F. STEELE,
Chairman.
E. HUNTINGTON,
JOHN HOBART,
J. W. SCOTT,
C. W. MORGAN,
House Committee.
V. P. KENNEDY,
Chairman.
GEO. H. WALSH,
C. D. AUSTIN,
Council Committee.

Mr. Smith moved

To lay the report of the committee on Education as to accepting the invitation to visit Grand Forks, on the table.

Which motion was lost.

Mr. Blakemore moved

To adopt the report.

The ayes and nays were demanded.

The roll being called, there were 35 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Langan, Miller, Martin, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Hobart, Larson, Myron, McCumber, Southwick, Smith, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. McCall, Roach, Scott.

So the report was adopted and the invitation accepted.

Mr. Martin moved

To amend section 3 of

House Bill No. 82

As reported by the committee so as to read as follows:

"Section 3. This act shall take effect and be in force from and after July 15, 1885."

Which motion prevailed,

And the bill was so amended.

And by unanimous consent chapter 40 was amended to read chapter 44.

MESSAGES FROM THE COUNCIL.

COUNCIL CHAMBER, BISMARCK, Feb. 3, 1885.

MR. SPEAKER:

I hereby transmit to you

Council Bill No. 141. A bill for an act entitled an act authorizing the board of county commissioners of Grand Forks county to offer a reward for the apprehension and conviction of a murderer, which has this day passed the Council under suspension of the rules, and respectfully ask your speedy concurrence therein.

Also,

Council Bill No. 135. A bill for an act amendatory of an act to incorporate the city of Grand Forks, which has also passed the Council and your concurrence asked thereto.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

By unanimous consent the House considered the message from the Council, suspended the rules and gave

Council Bill No. 141. A bill for an act authorizing the county commissioners of Grand Forks county to offer a reward for the apprehension and conviction of a murderer,

Its first, second and third reading.

The roll being called upon the final passage of the bill, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, DeWoody, McCall, Pickler, Southwick, Scott.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS.

Mr. Ward, of Brule, introduced the following resolution:

Resolved, That this House do call upon the Territorial Auditor to forthwith furnish this House, for its full information, the figures in answer to the following inqruies:

What was the gross sum of taxes for the year 1883-4 paid by that portion of the Territory north of the forty-sixth parallel?

What was the gross sum of taxes for the year 1883-4 paid by that portion of the Territory south of the forty-sixth parallel?

What amount of taxes for the same period was paid by counties west of the Missouri River and south of the forty-sixth parallel, including the Black hills?

Which resolution was adopted, and the auditor furnished with a copy.

Mr. Smith moved to suspend the rules and receive the report of the Special Committee on Elections,

Which motion was lost.

By unanimous consent
House Bill No. 22
Was turned over by the Railroad Committee to the Committee on Towns and Cities.

Mr. Steele, by unanimous consent, introduced a petition from the citizens of Burleigh county to have range 74 annexed to Kidder county, and to have the same immediately referred to Committee on counties.

INTRODUCTION OF BILLS.

Mr. Steele introduced, with the report of the Conference Committee
House Bill No. 121. A bill for an act to regulate the grading, ware-housing, inspecting and handling of grain in the Territory of Dakota,

Which was read the first time.

Mr. Stebbins introduced—
House Bill No. 122. A bill for an act to prevent the double taxation of real property,

Which was read the first time.

Mr. DeWoody, by request introduced—

House Bill No. 123. A bill for a substitute for Council Bill No. 30, entitled an act creating the county of Garfield and defining the boundary line of Spink county and for other purposes.

Which was read the first time.

Mr. Pugh introduced—
House Bill No. 124. A bill for an act to authorize the county commissioners of Dickey county to fund the outstanding indebtedness thereof,

Which was read the first time.

Mr. Riddell introduced—

House Bill No. 125. A bill for an act limiting the time of holding office by sheriff and county treasurer to two terms, and other acts,

Which was read the first time.

Mr. Ruger (by request) introduced—

House Bill No. 126. A bill for a Joint Memorial and Resolution in relation to the pine lands of Minnesota,

Which was read the first time.

Mr. Stewart introduced—

House Bill No. 127. A bill for an act to establish a winter road in the counties of Grand Forks and Walsh,

Which was read the first time.

Mr. Ward, of Brule, introduced—

House Bill No. 128. A bill for an act locating the county seat of Brule county,

Which was read the first time.

Mr. Gregg introduced—

House Bill No. 129. A bill for an act to change the name of Edward C. Hitchcock and Louise Jane Hitchcock to Edward C. Brelsford and Louise Jane Brelsford,

Which was read the first time.

Also,

House Bill No. 130. A bill for an act to enable counties, organized townships, cities and villages to construct irrigating ditches,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 131. A bill for an act making the second edition of Levisee's Code of Dakota presumptive evidence of such laws,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 132. A bill for an act to incorporate the city of DeSmet,

Which was read the first time.

Mr. Eldredge introduced—

House Bill No. 133. A bill for an act to establish and endow a Territorial Normal School at Big Stone City, Grant county, Dakota, to be known as Central Dakota Normal School,

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 134. A bill for an act providing for transcribing the records in Edmunds and McPherson counties,

Which was read the first time.

Mr. Ruger introduced—

House Bill No. 135. A bill for an act to amend section 31, chapter 27 of the Political Code,

Which was read the first time.

Mr. Riddell introduced—

House Bill No. 136. A bill for an act fixing the time of final adjournment of the Sixteenth Legislative Assembly,

Which was read the first time.

Mr. Pugh introduced—

House Bill No. 137. A bill for an act amending section 20, chapter 39 of the Political Code, in relation to jurors' fees in justice court,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 94. A bill for an act establishing the Dakota blind asylum, and providing for the government and maintenance of the same,

Read the second time and referred to committee on Territorial Affairs.

House Bill No. 96. A bill for an act authorizing the county commissioners of Ramsey county, Dakota, to issue bonds to build roads and bridges in said county,

Read the second time, and

By unanimous consent,

Read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Johnson, Martin, McCall, McHugh, Stevens, Scott.

So the bill passed and its title was agreed to.

House Bill No. 97. A bill for an act authorizing the county commissioners of Ramsey county to fund indebtedness of said county,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 98. A bill for a Joint Resolution providing for the printing of 3,000 copies of the Governor's message in the German language,

Read the second time and referred to the committee on Public Printing.

THIRD READING OF HOUSE BILLS.

Substitute for
House Bill No. 19. A bill for an act amending section 332 of the Code of Civil Procedure,

Read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and 8 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Bayard, Gregg, Huston, McHugh, Roach, Ruger, Smith, Williams.

Absent and not voting:
Messrs. McCall and Scott.

So the bill passed and its title was agreed to.

House Bill No. 101. A bill for a Joint Resolution providing a committee to visit the Territorial penitentiary at Sioux Falls,

Read the third time and put upon its final passage.
The roll being called there were 16 votes in the affirmative and 25 votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Bayard, Coe, DeWoody, Eldredge, Huntington, Hutchinson, Johnson, McHugh, Oliver, Pickler, Roach, Ruger, Stevens, Stewart, Stong, Williams.

Mr. DeWoody explaining his vote.

Those who voted in the negative were:

Messrs. Barnes, Clark, Dawson, Huston, Hobart, Helvig, Langan, Myron, Miller, Martin, McCumber, Morgan, Parshall, Pierce, Pugh, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Gregg, Larson, McCall, Steele, Scott, Mr. Speaker.

So the bill was lost.

Substitute for

House Bill No. 120. A bill for an act providing pay for persons employed in and about the Capitol building by authority of the Legislative Assembly,

Read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Larson, McCall, Pickler, Scott, Van Osdel.

So the bill passed and its title was agreed to.

The Speaker announced his signature to

Council Bill No. 141. A bill for an act authorizing the commissioners of Grand Forks county to offer a reward for the apprehension of the murderers of Mrs. Snell and child.

House Bill No. 62. A bill for an act providing for the collection of family expenses and other debts,

Read the third time and put upon its final passage.

The roll being called there were 22 votes in the affirmative and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Hobart, Hutchinson, Johnson, Miller, Martin, Oliver, Pickler, Pierce, Runkle, Riddell, Steele, Southwick, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Dawson, Gregg, Huston, Helvig, Larson, Langan, Myron, McCumber, Morgan, McHugh, Parshall, Pugh, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Williams.

So the bill was lost.

Messrs. Ward, Blakemore and Miller explaining their votes.

Absent and not voting:

Messrs. McCall and Scott.

House Bill No. 82. A bill for an act to amend section 53, chapter 44, Laws of 1883,

Read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Hutchinson, Larson, Langan, Miller, Martin, McCumber, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stewart, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Eldredge, Helvig, Johnson, Myron, Morgan, Oliver, Stebbins, Stong, Van Osdel.

Absent and not voting:

Messrs. McCall, Pierce, Scott.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Substitute for

Council Bill No. 39. A bill for an act providing funds for completing the Agricultural College at Brookings, Dakota.

Was read the first time.

Council Bill No. 50. A bill for an act to provide funds for constructing a dormitory and completion of the building for the Dakota School for Deaf Mutes,

Was read the first time.

Council Bill No. 57. A bill for an act to locate, establish and endow a School of Mines for the Territory of Dakota,

Was read the first time.

Council Bill No. 70. A bill for an act providing funds for finishing the main building of the University of Dakota, and for other purposes,

Was read the first time.

Council Bill No. 88. A bill for an act to authorize the purchase and distribution of two hundred and fifty copies third volume Dakota Supreme Court Reports,

Was read the first time.

Council Bill No. 102. A bill for an act creating the office of Commissioner of Immigration, and providing for the appointment of a Commissioner of Immigration for the Territory of Dakota,

Was read the first time.

Council Bill No. 135. A bill for an act amendatory of an act to incorporate the city of Grand Forks, Dakota,

Was read the first time.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 28. A bill for an act to allow the school township of Ordway, in Brown county, to issue bonds to fund outstanding indebtedness,

Read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were;

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldrege, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan. McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, McCall, Sprague, Scott, Ward of Turner.

So the bill passed and its title was agreed to

Substitute for Council Bill No. 30. A bill for an act creating the county of Garfield, defining the boundaries of Garfield and Spink counties, and locating the county seat of Spink county.

Read the third time, and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Hobart, Hutchinson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Mr. Speaker.

Thore who voted in the negative were:

Messrs. Huston, Johnson, Larson, Pickler, Swanton, Smith, Williams, Ward of Brule.

Absent and not voting:

Messrs. Dawson, DeWoody, Gregg, Huntington, Helvig, McCall, Ruger, Van Osdel, Scott.

So the bill passed and its title was agreed to.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 3, 1885.

MR. SPEAKER:

Your committee on Enrolled and Engrossed Bills, to whom was referred

House Bill No. 110,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Your committee on Enrollment beg leave to report that we have this third day of February, 1885, at 3:30 o'clock p. m., presented

House Bill No. 100

To His Excellency, the Governor, for his signature and approval.

V. V. BARNES,
Chairman.

The Speaker announced his signature to

House Bill No. 110. A bill for an act protesting against the removal of the Deadwood land office.

Also,

Council Bills Nos. 52, 95, 1, 54, 33, 63, 72 and 26.

Mr. Morgan resigned as chairman of the committee on Military Affairs.

It was moved that the House adjourn.

Which motion prevailed.

Adjourned.

C. M. REED,
Chief Clerk House.

TWENTY-THIRD DAY.

BISMARCK, Wednesday, February 4, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Dawson, Stebbins and Scott absent at roll call.

Messrs. Dawson and Scott excused by reason of illness. Mr. Stebbins reported subsequently.

The reading of the Journal was dispensed with, and same referred to the committee on Printing.

REPORTS OF SPECIAL COMMITTEES.

The special committee on Elections made the following report:

MR. SPEAKER:

Your committee on Elections, to whom was referred the case of

Anderson vs. Hutchinson,

Have instructed me, by a majority vote, to report as follows:

That the five days granted by the House for the contestee to produce his evidence has expired, though amended answer was verified on information and belief. Contestee receives telegram asking for extension of time to procure affidavits, and stating that it can be proved that T. J. Anderson was a candidate and received votes. A paper purporting to be a withdrawal of contest, and to be signed by contestant, has been presented before the committee.

Contestant's attorney states that he telegraphed last night for witnesses.

·The majority of your committee recommennd that the contestant be seated as a member of this House, and the contestee unseated during the further pendency of the case, if additional time be granted. Your committee has reason to believe that an attempt is being made, by fraudulent and dishonest offers and bargaining, to dispose of this case in a manner reflecting upon the honor and dignity of the House, and in gross violation of justice. Your committee is firmly of the opinion that, having had jurisdiction of the contest in question, and considered the same on the merits of the proof presented, both written and oral, and the report made having been adopted on the conditions specified in the resolution, that this House should not submit to disposition of this case except as based upon its merits, and should make no recognition of any party not coming in on a proper vote of the people.

Your committee is further of the opinion that at this stage of the proceedings, any so-called adjustment or bargain of the seat in question by any party, would be a disgrace to the House, and ought not to be recognized except to be condemned.

Dated January 28, 1885.

V. V. BARNES,
Chairman.
E. B. DAWSON,
A. L. VAN OSDEL,
G. W. PIERCE,
C. E. HUSTON.

Mr. Martin moved

That the committee on Elections be instructed to investigate the alleged withdrawal of the contestant, T. G. Anderson, from the case, vs. E. T. Hutchinson, and report the facts relating thereto; that the committee also take evidence upon the merits of the case, and have power to subpœna witnesses for that purpose.

Mr. Coe presented the following withdrawal of T. G. Anderson:

I, T. G. Anderson, contestant in the case of Anderson vs. Hutchinson, believing that it is for the best interests of all parties that E. T. Hutchinson remain in the seat now occupied by him, and that thereby harmony may be engendered, do hereby withdraw from the said contest, and request that all papers and documents relating to the case, now before the Legislature, be withdrawn and placed in the hands of Dr. E. N. Falk.

Dated January 7, 1885.

T. G. ANDERSON.

Witnesses: M. W. Sullivan, E. N. Falk.

Mr. Steele moved
To substitute for Mr. Martin's motion,
That the letter written to the committee by Mr. Anderson be read.

Which motion was lost.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, February 4, 1885.

To the Speaker of the House:

I have the honor to inform the House that I have approved

House Bill No. 100. A bill for an act appropriating funds for the payment of assistant clerks and assistant sergeants-at-arms of the Legislative Assembly of Dakota.

Also,

House Bill No. 110. A bill for a Memorial protesting against the removal of the Deadwood land office.

GILBERT A. PIERCE,
Governor.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 4, 1885.

MR. SPEAKER:

I herewith transmit

Council Bill No. 56. A bill for an act to appropriate funds for the completion and maintenance of the Territorial Normal School at Madison, Dakota.

Also,

Council Bill No. 104. A bill for an act to amend section

416 of Code of Criminal Procedure of the Territory of Dakota.

Also,
Council Bill No. 98. A bill for an act to define the boundaries of Wells county.

Also,
Council Bill No. 89. A bill for an act to authorize the county commissioners of Yankton county to remit certain taxes.

Also,
Council Bill No. 114. A bill for an act to provide for the removal and location of the county seat of Bon Homme county.

All of which have passed the Council and to which your concurrence is respectfully asked.

Very Respectfully,
W. G. EAKINS,
Assistant Clerk.

MOTIONS AND RESOLUTIONS.

Mr. Blakemore offered the following resolution and moved its adoption:

WHEREAS, Charges of bribery have been made in the case of Anderson vs. Hutchinson,

Resolved, That the standing committee on Elections are hereby instructed to proceed immediately to investigate said charges,
And subsequently withdraw the same.

Mr. Myron moved
That section 52 of Rules of the House be made to read as follows: "The hour of daily meeting of the House shall be 10 o'clock in the morning, until the House directs otherwise,"

Which motion was lost.

Mr. McCumber moved
That the report of the Committee of the Whole, made on Monday, be accepted and adopted,

Which motion prevailed.

Mr. Pugh moved
To reconsider the vote by which
House Bill No. 62 was lost,
Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Gregg introduced—

House Bill No. 138. A bill for an act to provide for the appointment of Sheep Inspectors,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 139. A bill for an act to amend section 2 of chapter 26 of the Laws of 1879.

Which was read the first time.

Mr. Huntington introduced—

House Bill No. 140. A bill for an act creating the county of Marshall and defining the boundaries of Day county.

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 141. A bill for an act to amend section 126 of the Code of Civil Procedure.

The rules were suspended, the bill read a second time and

Referred to Committee on Judiciary.

Mr. Huston introduced—

House Bill No. 142. A bill for an act to establish Independent School District No. 1 in Douglas county, Dakota, and for other purposes,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 143. A bill for an act amending the charter of the city of Mandan.

The rules were suspended and the bill read a second time and

Referred to the Committee on Cities and Towns.

Mr. McHugh introduced—

House Bill No. 144. A bill for an act defining the boundaries of Cavalier county,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 145. A bill for an act making an appropriation for certain improvements and furnishing of the North Dakota Penitentiary and for maintaining the same.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 99. A bill for an act to amend an act entitled an act to incorporate the city of Aberdeen.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 109. A bill for an act to establish a portion of the School Township of Denver, in Kingsbury county, also a portion of School Township of Winsor and Bangor, in Brookings county, an independent school district.

Read the second time and referred to the committee on Education.

House Bill No. 113. A bill for an act to provide for the taxation of land when certificates of title are issued.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 114. A bill for an act to amend section 13, article 2, of an act entitled an act to amend the charter of the city of Yankton.

Read the second time, and on motion of Mr. Van Osdel the rules were suspended, the bill read the third time, and put upon its final passage.

The roll being called on its passage, there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Strong, VanOsdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, McHugh, Ruger, Scott.

So the bill passed and its title was agreed to.

House Bill No. 115. A bill for an act to locate the county seat of Turner county.

Read the second time and referred to the committee on Counties.

House Bill No. 116. A bill for an act to amend section

5, chapter 33 of the Special Laws of 1883, relating to county commissioners.

Read the second time, and on motion of Mr. Myron the rules were suspended, the bill read the third time and put upon its final passage.

The roll being called there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, McHugh, Oliver, Ruger, Scott, Ward of Turner, Williams.

So the bill passed and its title was agreed to.

House Bill No. 118. A bill for an act to authorize loans of credit in aid of the erection of flouring mills.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 119. A bill for an act amending sections 389, 390 and 416 of the Civil Code.

Read the second time and referred to the committee on Judiciary.

House Bill No. 117. A bill for an act creating and defining a sub-division of the Third Judicial District.

Read the second time and referred, with amendment to the committee on Judiciary.

The Speaker announced his signature to Council Bills Nos. 59 and 18.

THIRD READING OF HOUSE BILLS.

Substitute for House Bill No. 25.

Was read the third time and put upon its final passage.

The roll being called, there were 28 votes in the affirmative and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, DeWoody, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Stebbins, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Gregg, Huntington, Johnson, Martin, Parshall, Southwick, Smith, Sprague, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Eldredge, Langan, McHugh, Ruger, Swanton, Scott, Ward of Turner.

So the bill passed and its title was agreed to.

House Bill No. 44

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, DeWoody, Langan, McHugh, Oliver, Ruger, Swanton, Scott, Ward of Turner.

So the bill passed and its title was agreed to.

House Bill No. 56

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Mr. Swanton voting in the negative.

Absent and not voting:
Messrs. Dawson, Langan, Ruger, Scott, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

MESSAGE FROM THE COUNCIL.

The following message was received from the Council:

COUNCIL CHAMBER, February 4, 1885.

MR. SPEAKER:

I herewith return
House Bill No. 12. A bill for an act to legalize the taxes of Hyde county, etc.,
With the following amendments:

That the words "assessment legalized" be stricken out where it occurs in first line of section 1.

That section 2 be amended by striking out the words "Board of Commissioners to equalize," in the first line thereof.

Further amended section 2 by striking out the word "first," where it occurs in said section, and insert in lieu thereof the word "second."

That section 3 be stricken out.
And ask your concurrence in the same.

W. G. EAKINS,
Assistant Clerk.

THIRD READING OF HOUSE BILLS.

House Bill No. 62
Read the third time.

Mr. Myron moved
A call of the House,
Which being seconded, the roll was called and the sergeant-at-arms directed to bring in
Messrs. Williams and Langan, who were absent.

Mr. DeWoody moved
Further proceedings under the call be dispensed with.

Which motion prevailed.

Mr. Smith moved
To make the bill the special order for to-morrow.

The ayes and nays were demanded.

The roll being called, there were 18 votes in the affirmative, and 27 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Gregg, Huston, Helvig, Larson, Langan, Myron, McCumber, Parshall, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Coe, DeWoody, Eldredge, Huntington, Hobart, Hutchinson, Johnson, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Dawson, Ruger and Scott.

So the motion was lost.

Mr. DeWoody moved
The previous question.

Which motion was lost.

Mr. Helvig moved
That the House resolve itself into a Committee of the Whole to consider the bill.

Which motion was lost.

Mr. Southwick moved
The previous question,

Which motion prevailed.

Mr. Williams moved
To lay the bill on the table,

Which motion was lost.

The bill was then read the third time and put upon its final passage.

The roll being called there were 29 votes in the affirma- and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Hobart, Hutchinson, Johnson, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stong, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Gregg, Huston, Helvig, Larson, Langan, Myron, McCumber, Parshall, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel.

Absent and not voting:

Messrs. Dawson, Ruger, Scott.

So the bill passed and its title was agreed to.

Mr. Williams changed his vote to aye, and gave notice of a motion to reconsider.

Mr. Pickler moved

To reconsider the vote by which the bill passed.

Mr. Blakemore moved

To lay the motion to reconsider on the table.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

Mr. Martin was granted unanimous consent to make the following reports:

MR. SPEAKER:

Your Committee on Judiciary have considered

House Bill No. 91. A bill for an act to amend chapter 22 of the Political Code,

And would respectfully recommend that the same be considered favorably and passed by this House.

Also,

House Bill No. 88. A bill for an act relating to proofs of the existence of corporations,

And beg leave to recommend that the word "civil" be inserted before the word "actions" in the first section of said bill and further recommend the bill with such amendment be considered favorably and passed by this House.

Also,

House Bill No. 85. A bill for an act to provide justices of the peace with a treatise upon justice courts, school laws and township organizations,

And beg to report that they favor adding after section 1 the following words: "Prepared, published and copyrighted by Americus B. Mellville."

Your committee further recommend with this amendment that the said bill be considered favorably and passed by this House.

Also,

House Bill No. 79. A bill for an act to amend section 468 of Code of Civil Procedure,

And beg leave to report in favor of the bill and recommend its passage by this House.

REPORTS OF SPECIAL COMMITTEES.

Mr. Johnson was granted unanimous consent to make a report of the committee on Woman Suffrage and presented the following:

MR. SPEAKER:

Your special committee to whom was referred
House Bill No. 71. A bill for an act in regard to Woman Suffrage,

Have had the same under consideration and report the same to this House with the recommendation that it do pass.

By unanimous consent the House returned to the consideration of messages from the Council and Council amendments to
House Bill No. 12

Were concurred in.

Mr. Barnes moved
To make
House Bill No, 71, Woman Suffrage, the special order for Tuesday next at 3 p. m.,
Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 91
Read the third time and put upon its final passage.

The roll being called there were 43 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.
Absent and not voting:

Messrs. Dawson, Huntington, Ruger, Scott, Williams.

So the bill passed and its title was agreed to.

House Bill No. 79

Read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Oliver, Runkle, Riddell, Ruger, Scott.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 56. A bill for an act appropriating funds for the completion and maintenance of the Territorial Normal School at Madison,

Was read the first time.

Council Bill No. 89. A bill for an act to authorize the county commissioners of Yankton county to remit certain taxes,

Was read the first time.

Council Bill No. 98. A bill for an act to define the boundaries of Wells county,

Was read the first time.

Council Bill No. 104. A bill for an act to amend section 416 of the Code of Criminal Procedure of the Territory of Dakota,

Was read the first time.

Council Bill No. 114. A bill for an act to provide for the removal and location of the county seat of Bon Homme county,

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 135. A bill for an act amendatory of an act to incorporate city of Grand Forks, Dakota, Read the second time and referred to the committee on Cities and Towns.

Substitute for

Council Bill No. 39. A bill for an act providing funds for completing the Agricultural College at Brookings, Dakota, and to repeal section 2, chapter 2; and section 6 of chapter 3 of the Session Laws of 1883,

Read the second time.

Mr. Myron moved

To refer the bill to the committee on Ways and Means.

Which motion was lost.

Mr. Williams moved

To dispense with the reading of the bill at length.

Which motion prevailed.

Referred to committee on Appropriations.

Council Bill No. 50. A bill for an act providing funds for the construction of a dormitory and the completion of the buildings for the Dakota School for Deaf Mutes, and for other purposes,

Read the second time.

On motion of Mr. Martin,

The reading at length of the bill was dispensed with, and

The bill referred to committee on Appropriations.

Council Bill No. 57. A bill for an act to locate, establish and endow a School of Mines for the Territory of Dakota,

Read the second time, and

On motion of Mr. DeWoody,

The reading of the bill at length was dispensed with, and

The bill referred to committee on Appropriations.

Council Bill No. 70. A bill for an act to provide funds for furnishing the main building of the University of Dakota, to erect an additional building for dormitories, and for other purposes,

Read the second time, and

On motion of Mr. Williams,

The reading of the bill at length was dispensed with, and

The bill referred to Committee on Appropriations.

Council Bill No. 88. A bill for an act to authorize the purchase and distribution of 250 copies of the third volume of Dakota Supreme Court Reports.

Read the second time and
Referred to Committee on Appropriations.

Council Bill No. 102. A bill for an act creating the office of Commissioner of Immigration, and providing for the appointment of a Commissioner of Immigration for Dakota.

Read the second time and
Referred to Committee on Territorial affairs.

Council Bill No. 100. A bill for an act providing for Assistant Clerks and Assistant Sergeants-at-Arms,

Read the second time.

Mr. Smith, by unanimous consent, moved to amend by striking out the words "Assistant Clerk for the House."

Mr. Steele moved
To substitute by striking out "Additional Assistant Clerks for the House and Council."

Mr. Martin moved
To commit the bill and amendments to the committe on Enrolled and Engrossed Bills,

Which motion prevailed.

On motion the House adjourned.

CASSIUS M. REED,
Chief Clerk.

TWENTY-FOURTH DAY.

BISMARCK, Thursday, February 5, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Dawson, Stevens and Scott absent and excused by reason of illness.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

BISMARCK, Feb. 3, 1885.

To the Speaker of the House:

In reply to the resolution of the House passed on yesterday (but only just received) calling for information regarding the amount of taxes severally paid by the two portions of the Territory lying north and south of the forty-sixth parallel, for the years 1883-4, etc. I have the honor to state that the records of this office only show the assessed valuations which are given below, while the records of the Treasurer's office give the several amounts of taxes actually paid into the Territorial Treasury.

Assessed valuation of counties south of the forty-sixth parallel, 1884, $46,945,199.26.

Assessed valuation of counties north of the forty-sixth parallel, 1884, $39,462,220.62.

The assessed valuation of counties situated west of the Missouri river and south of the forty-sixth parallel, 1884, $6,203,993.47.

Respectfully,
GEORGE L. ORDWAY,
Auditor.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

House Bill No. 89,

Would respectfully report that we have considered the same, and

Recommend that it do pass.

Also,

House Bill No. 84,

Would respectfully report that we have considered the same, and

Recommend that it do pass.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred

House Bill No. 18. A bill for an act to amend an act entitled an act to employ assistant sergeant-at-arms for the Council and House of Representatives, and to provide for their compensation,

Have had the same under consideration, and find that said bill passed the House January 20th, and provided for the appointment by the President of the Council and Speaker of the House, each of one door-keeper and one assistant sergeant-at-arms, and by the President of the Council of one postmaster.

To this Council, on January 27th, amended by striking out the word "doorkeeper," and inserting in lieu thereof "watchman," and also an amendment prescribing the duties of the postmaster.

And your committee recommend that the House do concur in the amendments of the Council.

J. A. PICKLER,
Chairman.

On the adoption of the report,

The ayes and nays were demanded.

The roll being called, there were 32 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Gregg, Huston, Hutchinson, Johnson, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Eldredge, Huntington, Hobart, Helvig, Larson, Langan, Myron, McCumber, Runkle, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, DeWoody, Stevens, Scott.

So the report was adopted.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred

Council Bill No. 84. A bill for a Joint Resolution providing for the furnishing of water for the Capitol building,

Would respectfully report that we have considered the same, and

Recommend that it do pass.

Also,

House Bill No. 20. A bill for an act appropriating funds for the construction of a Normal School building at Springfield, Bon Homme county, Dakota Territory, and for other purposes;

Have had the same under consideration and report the same back to the House with the following amendment:

By adding to section 1 the following: "Provided that said building, when completed and furnished, shall not cost to exceed the above sum of eight thousand, five hundred dollars ($8,500.)"

And recommend the bill as amended do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee on Agriculture, to whom was referred

House Bill No. 93. A bill for an act to create a Territorial Department of Agriculture, and relating to agricultural societies and agricultural fairs, and providing for the reports of the same,

Have had the same under consideration, and respectfully report the same back to the House with the

Recommendation that it do pass.

DONALD STEWART,
Chairman.

On motion the bill and the report was referred to the general orders.

MR. SPEAKER:

Your committee having

House Bill No. 5

Under consideration, have carefully considered the same, and report a substitute therefor, and a majority

Recommend that the same do pass.

MARK WARD,
Chairman.

The bill and the report was referred to the general orders.

MESSAGES FROM THE COUNCIL.

COUNCIL CHAMBER, BISMARCK, Feb. 5, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 16. A bill for an act to amend section 339 of the Code of Civil Procedure.

Also,

House Bill No. 13. A bill for an act to amend section 218 of the Code of Civil Procedure.

Also,

Council Bill No. 87

Being a substitute for Council Bill No. 76. A bill for an act to amend section 101 of chapter 9 of the Code of Civil Procedure.

Also,

Council Bill No. 15. A bill for an act for the erection of an additional building for the North Dakota Hospital for the insane, and for other purposes.

Also,

Council Bill No. 40. A bill for an act repealing chapters 61 and 62 of the Laws of 1883.

Also,

Council Bill No. 85. A bill for an act to appropriate funds to pay expenses of militia to Spink county Dakota, December 12, 1884.

Also,

Council Bill No. 113. A bill for an act establishing Independent school District No. 2, in Lake and Moody counties, Dakota.

Also,

Council Bill No. 117. A bill for an act entitled an act to amend an act entitled an act providing a Board of Education for the city of Fargo.

Also,

Council Bill No. 126. A bill for an act to repeal section 2 and amend section 12 of chapter 104 of Session Laws of 1881.

All of which the Council did pass on the 4th instant, and to which they ask your respectful concurrence.

A. W. HOWARD,
Chief Clerk.

Mr. Morgan moved

To suspend the rules and that

House Bill No. 84

Be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, VanOsdel, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, DeWoody, Martin, Stevens, Scott.

So the bill passed and its title was agreed to.

The Speaker announced his signature to
House Bill No. 12
And
Council Bills Nos. 95, 7 and 6.

By unanimous consent
House Bill No. 125
Was committed to the committee on Elections instead of Judiciary.

REPORTS OF STANDING COMMITTEES.

The committee on Engrossed and Enrolled Bills, reported as follows:

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred
House Bill No. 12,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bills Nos. 44 and 56,
Beg leave to report the same back as correctly engrossed.

Also,
Beg leave to report that we have this 5th day of February, 1885, at 4 o'clock p. m., presented
House Bill No. 12
To His Excellency, the Governor, for his signature and approval.

V. V. BARNES,
Chairman.

Mr. Coe moved

That when the House adjourn, it adjourn to meet at 10 o'clock a. m. Friday.

Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Sprague introduced—
House Bill No. 146. A bill for an act to amend section 569 of the Civil Code,

Which was read the first time.

Mr. Williams (by request) introduced—
House Bill No. 147. A bill for an act to amend section 148 of the Code of Criminal Procedure,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 125. A bill for an act limiting the time of holding office by sheriff and county treasurer to two terms, and other acts,

Was read the second time.

Mr. Johnson moved
To strike out section 1 of the bill.

Mr. Martin moved
To commit the bill and its amendments to the appropriate committee.

Which motion prevailed,

And the bill was referred to the committee on Elections.

THIRD READING OF HOUSE BILLS.

House Bill No. 89
Was read the third time, and by unanimous consent amended so as to refer to the Special Laws of 1881.

The roll being called on the passage of the bill, there were 42 votes in the affirmative and no votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Clark, Dawson, DeWoody, McCall, Stevens, Scott.

So the bill passed and its title as amended was agreed to.

House Bill No. 93. A bill for an act to create a Territorial Department of Agriculture, etc.,

Was, on motion of Mr. Van Osdel,

Referred back to committee on Agriculture.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 15. A bill for an act for the erection of an additional building for the North Dakota hospital for the insane, and other purposes,

Was read the first time.

Council Bill No. 40. A bill for an act repealing chapters 61 and 62 of the Laws of 1883,

Was read the first time.

Substitute for

Council Bill No. 76. A bill for an act to amend section 101, chapter 9, Code of Civil Procedure,

Was read the first time.

Substitute for

Council Bill No. 85. A bill for an act to appropriate funds to pay expenses of militia to Spink county, Dakota,

Was read the first time.

Council Bill No. 113. A bill for an act establishing Independent School District No. 2 in Lake and Moody counties, Dakota,

Was read the first time.

Council Bill No. 117. A bill for an act entitled an act to amend an act providing a Board of Education for the city of Fargo,

Was read the first time.

Council Bill No. 126. A bill for an act to repeal section 2 and amend section 12, chapter 104 Session laws of 1881.

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 56. A bill for an act appropriating funds for the completion and maintenance of the Territarial Normal School at Madison, Dakota.

Read the second time and referred to the committee on Appropriations.

Council Bill No. 89. A bill for an act to authorize the county commissioners of Yankton county to remit certain taxes.

Read the second time and referred to the member from Yankton county.

Council Bill No. 98. A bill for an act to define the boundaries of Wells county.

Read the second time and referred to the committee on Counties.

Council Bill No. 104. A bill for an act to amend section 416 of Code of Criminal Procedure.

Read the second time and referred to the committee on Judiciary.

Council Bill No. 114. A bill for an act to provide for the removal and location of the county seat of Bon Homme county.

Read the second time and referred to the committee Counties.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 23. A bill for an act to protect the passage of fish in the James or Dakota and Cheyenne rivers in Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Helvig, Stevens, Scott.

So the bill passed and its title was agreed to.

Council Bill No. 84. A bill for a Joint Resolution for the purchase of water.

Was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Hobart, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Williams, Ward of Brule; Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Huntington, Helvig, Johnson, Stevens, Scott, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I return herewith

House Bill No. 36. A bill for a Memorial to Congress for the passage of the Mexican War Pension Bill.

Also,

House Bill No. 120. A bill for an act to appropriate funds for the payment of all persons employed in and about the Capitol building by authority of the Lesislature.

Also,

Council Bill No. 147. A bill for an act constituting Ransom and Sargent counties a judicial sub-division, and for other purposes.

Also,

Council Bill No. 128. A bill for an act establishing Independent School District No. 4, Lake county, Dakota.

Also,

Council Bill No. 51. A bill for an act to repeal chapters 60 and 108 of Laws of 1883, and for other purposes.

Also,

Council Bill No. 158. A bill for an act to amend an act to incorporate the city of Sioux Falls.

To all of which your concurrence is respectfully requested.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

COMMITTEE OF THE WHOLE.

The House resolved itself into a
Committee of the Whole for the consideration of the general orders,
With Mr. Martin in the chair.

When the committee rose, the following report was made:

MR. SPEAKER:

Your committee have had under consideration

House Bill No. 5. A bill for an act to define the boundaries of Kidder county, together with a substitute recommended by the committee on Counties, and recommend that the bill and the substitute bill be
Recommitted to the committee on Counties.

Also,
House Bill No. 20. A bill for an act appropriating funds for the construction of a Normal School building at Springfield, Bon Homme county, Dakota, and for other purposes, together with the amendments proposed by the committee on Appropriations, and do
Recommend the passage of the bill.

Also,
House Bill No. 76. A bill for an act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in Dakota, and
Recommend the passage of the bill as amended.

Also,
House Bill No. 85. A bill for an act to provide justices of the peace with a treatise upon justice courts, school laws and township organizations, and
Recommend the passage of the bill as amended by the committee on Judiciary.

Also,

House Bill No. 88. A bill for an act relating to the proofs of the existence of corporations, and

Recommend the passage of the bill as amended by the committee on Judiciary.

Also,

House Bill No. 93. A bill for an act to create a Territorial Department of Agriculture, and relating to agricultural fairs, and providing for the report of the same, and

Recommend that sections 12 and 13 be recommitted to the original committee for amendment or substitution.

Mr. Miller moved

The adoption of the report.

Which motion prevailed.

Mr. Hobart gave notice of a motion to reconsider the vote by which

Council Bill No. 23

Was passed.

UNFINISHED BUSINESS.

House Bill No. 45. A bill for an act concerning elections,

Was taken up, and

Mr. Myron moved

That the report of the committee on Judiciary be adopted.

Which motion prevailed.

Mr. Myron moved

The rules be suspended, that the bill be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, DeWoody, Huntington, McCall, Ruger, Stevens, Scott.

So the bill passed and its title was agreed to.

Mr. Southwick moved to adjourn.

Which motion prevailed,

Adjourned.

CASSIUS M. REED,
Chief Clerk.

TWENTY-FIFTH DAY.

BISMARCK, Friday, February 6, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. Coe, DeWoody, McCumber and Scott absent at roll call.

Mr. Scott excused on account of illness.

Messrs. Coe, DeWoody and McCumber reported subsequently.

The reading of the Journal was dispensed with, and same referred to the committee on Printing.

REPORTS OF STANDING COMMITTEES.

BISMARCK, Feb. 4, 1885.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 53
Have carefully considered the same and
Reccomend that it do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 109

Having considered the same, beg leave to report that
The bill do pass.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred
House Bill No. 18
Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

GENERAL ORDERS.

MR. SREAKER:

Your committee on Enrolled and Engrossed Bills, to whom was referred
Council Bill No. 100
Beg leave to report and recommend that the same do pass, with the following amendment:

Amend by striking out the words, "And it is hereby made their duty," which words immediately follow the word "authorized" in the third line of the first paragraph following the enacting clause.

Amend by striking out the word "five" and insert the word "three" in the tenth line of said paragraph as originally written.

Amend by adding the words "when necessary" after the word "appoint," where it occurs in the fifth line of said paragraph.

V. V. BARNES,
Chairman.

Referred to General Orders.

MR. SPEAKER:

I ask leave to report that I think the salary of the proposed appointees named in
Council Bill No. 100
Should be $5 per day as provided in said bill in case appointment be made.

V. V. BARNES,
Member of Committee.

Mr. Hobart moved

To reconsider the vote by which
Council Bill No. 23
Was passed.

Which motion prevailed.

Mr. Roach moved
That when the House adjourn, it be to meet on Monday, February 9, 1885.

The ayes and nays were demanded.

The roll being called, there were 30 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were;
Messrs. Bayard, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Hutchinson, Johnson, Langan, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pugh, Runkle, Pickler, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Blakemore, Hobart, Helvig, Larson, Myron, McCumber, Parshall, Pierce, Southwick, Smith, Stebbins, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Messrs. Coe, DeWoody, Scott.

So the motion prevailed.

Mr. Roach moved
A reconsideration of the vote by which the motion to adjourn was carried.

The motion to reconsider prevailed and the original motion was lost.

The House took a recess of five minutes.
Mr. Oliver moved
That a special committee, with the Speaker as chairman thereof, and the following members of the House:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Scott, Southwick, Stevens, Swanton, Smith, Stong, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule,
Be appointed to investigate the North Dakota University at Grand Forks, Dak.,

And report to the House on Monday next.

Which motion prevailed.

COMMITTEE ON ENGROSSMENT.

BISMARCK, Tuesday, February 6, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred
House Bill No. 45,
Beg leave to report the same back as correctly engrossed.

V. V. BARNES,
Chairman.

Mr. Steele rose to a question of privilege and explained and corrected certain statements in Bismarck Tribune.

By unanimous consent,
Mr. Ward, chairman of committee on Counties, made the following report:

MR. SPEAKER:

Your committee having
House Bill No. 106
Under consideration, have carefully considered the same and recommend that it do pass.

MARK WARD,
Chairman.

On motion the rules were suspended, and
House Bill No. 106
Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. DeWoody, Martin, Scott.

So the bill passed and its title was agreed to

INTRODUCTION OF BILLS.

Mr. Eldredge introduced—

House Bill No. 148. A bill for an act to assess chattel mortgages for county and territorial purposes, and for the levy and collection of taxes thereon,

Which was read the first time.

Also,

House Bill No. 149. A bill for an act to amend section 4, chapter 6 of Political Code,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 150. A bill for an act to provide for the disposition of dead bodies of criminals and paupers,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 151. A bill for an act locating the county of Burbank and defining its boundaries,

Which was read the first time.

Also,

House Bill No. 152. A bill for an act to create the county of Coe and defining its boundaries,

Which was read the first time.

Mr. Stevens (by request) introduced—

House Bill No. 153. A bill for an act to provide for the relocation of the county seat of Kidder county,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 121. A bill for an act to regulate the grading, ware-housing, inspecting and handling of grain in the Territory of Dakota,

Read the second time and referred to the committee on General Orders.

House Bill No. 122. A bill for an act to prevent the double taxation of real property,

Read the second time and referred to the committee on Judiciary.

House Bill No. 127. A bill for an act establishing a winter road in the counties of Grand Forks and Walsh,

Read the second time, and

On motion of Mr. Stewart,

The rules were suspended, the bill read the third time and put upon its final passage.

The roll being called there were 42 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Huntington, Johnson, Steele, Scott.

So the bill passed and its title was agreed to.

House Bill No. 128. A bill for an act to locate the county seat of Brule county,

Read the second time and referred to the committee on Counties.

House Bill No. 129. A bill for an act to change the name of Edward C. Hitchcock and Louise Jane Hitchcock to Edward C. Brelsford and Louise Jane Brelsford,

Read the second time and referred to the committee on Judiciary.

House Bill No. 145. A bill for an act making an appropriation for certain improvements and furnishing of the North Dakota penitentiary, and for maintaining the same,

Read the second time.

Mr. Williams moved

The rules be suspended, and the reading at length of the bill be dispensed with.

Which motion prevailed.

And the bill was referred to the committee on Appropriations.

THIRD READING OF HOUSE BILLS.

House Bill No. 20. A bill for an act appropriating funds for the construction of a Normal School building at Springfield, Bon Homme county, Dakota, and for other purposes, Was read the third time, and put upon its final passage.

The roll being called, there were 34 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hutchinson, Johnson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Roach, Ruger, Southwick, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Larson, Langan, Myron, Runkle, Riddell, Swanton.

Absent and not voting:

Messrs. DeWoody, Huntington, Hobart, Helvig, Steele, Stevens, Scott.

So the bill passed and its title was agreed to.

House Bill No. 88. A bill for an act relating to proofs of the existence of civil corporations

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Myron voting in the negative.

Absent and not voting:

Messrs. DeWoody, Langan, McHugh, Oliver, Smith, Scott, Stong, Van Osdel.

So the bill passed and its title amended by adding "in civil actions" and then agreed to.

House Bill No. 76. A bill for an act to insure the better education of practitioners of dental surgery, to regulate the practice of dentistry in the Territory of Dakota.

Read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson. Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Langan and Van Osdel.

Absent and not voting:
Messrs. Bayard, DeWoody, Huntington, Steele, Scott.

So the bill passed and its title was agreed to.

House Bill No. 85. A bill for an act to provide Justices of the Peace with a treatise upon Justice Courts, school laws and township organizations.

Read the third time and on motion of
Mr. Barnes, was recommitted to Committee on Judiciary.

House Bill No. 109. A bill for an act to establish a portion of the school township of Denver, etc.

Read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard. Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Langan, McHugh, Stewart, Scott, Stong, Williams.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 51. A bill for an act to repeal chapters 60 and 108 of the Laws of 1883, and for other purposes,

Was read the first time.

Council Bill No. 128. A bill for an act establishing Independent School District No. 4, Lake county, Dakota.

Was read the first time.

Council Bill No. 147. A bill for an act constituting Ransom and Sargant counties a judicial sub-division and for other purposes,

Was read the first time.

By unanimous consent the bill was read the second time and on motion of

Mr. Oliver it was referred to the committee on Counties.

Council Bill No. 158. A bill for an act to amend an act to incorporate the city of Sioux Falls,

Was read the first time.

SECOND READING OF COUNCIL BILL.

Council Bill No. 15. A bill for an act for the erection of additional buildings for the North Dakota Hospital and for other purposes.

Read the second time and referred to the committee on Appropriations.

Council Bill No. 40. A bill for an act repealing chapters 61 and 62 of the Laws of 1883.

Read the second time and referred to the committee on Judiciary.

Substitute for

Council Bill No. 76. A bill for an act to amend section 101, chapter 9, Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

Substitute for

Council Bill No. 85. A bill for an act appropriating funds to pay expenses of militia to Spink county, Dakota,

Read the second time and referred to the committee on Appropriations.

Council Bill No. 113. A bill for an act establishing Independent School District No. 2 in Lake and Moody counties, Dakota,

Read the second time and referred to committee on Education.

Council Bill No. 126. A bill for an act to repeal section 72, and amend section 12, chapter 104 of the Session Laws of 1881,

Read the second time and referred to the committee on Penal Institutions.

Council Bill No. 117. A bill for an act providing a board of education for the city of Fargo,

Read the second time and referred to the committee on Education.

Council Bill No. 158. A bill for an act to amend an act to incorporate the city of Sioux Falls,

Read the second time and referred to the committee on Cities and Towns.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 53. A bill for an act to repeal section 5, chapter 31 of the Session Laws of 1883,

Was read the third time.

Mr. Blakemore moved that
Council Bill No. 53
Be recommitted to committee on Counties.

Which motion prevailed.

The Speaker announced his signature to
House Bills Nos. 13, 16 and 18.

ENGROSSMENT.

BISMARCK, February 6, 1885.

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills, to whom was referred
House Bills Nos. 13 and 16,
Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

The House then resolved itself into a Committee of the Whole for the consideration of the general orders, with
Mr. McCumber in the chair.

When the committee rose, the following report was made:

MR. SPEAKER:

The Committee of the Whole have considered

House Bill No. 93

As reported by the committee on Agriculture, together with the amendments proposed thereto by

Messrs. Blakemore and Johnson,

And recommend the passage of the bill as amended.

Also,

Council Bill No. 100,

Together with the report of the committee on Engrossed and Enrolled Bills, and recommend that the bill pass with the amendments proposed by the committee, excepting that the compensation of the officers to be appointed, be fixed at $5 per day,

And that immediate action be taken on the bills.

Mr. Pickler moved

The adoption of the report of the committee.

Which motion prevailed.

Mr. Steele was granted unanimous consent, and introduced—

House Bill No. 154. A bill for an act to relocate the county seat of Griggs county.

Mr. DeWoody was excused until Wednesday next.

Council Bill No. 100

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Thore who voted in the negative were:

Messrs. Blakemore, Dawson, Helvig, Larson, Langan, Myron, Parshall, Runkle, Van Osdel, Ward of Brule.

Absent and not voting:

Messrs. Hutchinson, Martin, Smith, Scott.

So the bill passed and its title was agreed to.

House Bill No. 93

Read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hutchinson, Martin, Smith, Scott, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Johnson moved

The House adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

TWENTY-SIXTH DAY.

BISMARCK, Saturday, Feb. 7, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

On motion of Mr. Williams,

Mr. Blakemore was chosen Speaker pro tem,

Mr. Rice, the permanent Speaker, being absent.

Mr. McCumber was chosen temporary clerk.

Prayer by the chaplain.

Roll called,

And the following members were absent on committee, viz:

Messrs. Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Sprague, Scott, Stewart, Ward of Brule, Mr. Speaker.

Reading of Journal dispensed with.

EXECUTIVE MESSAGE.

The following message was received from His Excellency, the Governor of Dakota:

EXECUTIVE OFFICE, BISMARCK, Saturday, Feb. 7, 1885.

To the Honorable Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 12. A bill for an act to legalize the assessment of Hyde county, D. T., for the year 1884, and to authorize the board of county commissioners to equalize the same.

GILBERT A. PIERCE,
Governor.

Mr. Williams moved
That the House adjourn.

Which motion prevailed.

Adjourned.

P. J. McCUBMER,
Chief Clerk, pro tem.

TWENTY-EIGHTH DAY.

BISMARCK, Monday, February 9, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,
The Speaker presiding.

Prayer by the chaplain.

Roll call.

Messrs. Hutchinson, Miller, Southwick, Scott, Stewart and Ward of Brule, absent and were excused on account of illness.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

The following petitions and communications were presented:

SPEARFISH, DAKOTA, January 21, 1885.

To the Honorable, the Legislative Assembly of the Territory of Dakota:

Your petitioners, citizens, legal voters and residents of the town of Spearfish, Lawrence county, and Territory of Dakota, respectfully represent:

That the said town is unincorporated and is without any legal government—destitute either of township, town or city municipal organization.

That the boundaries of said town include 320 acres of land, particularly described as follows, to-wit: The s ½ of s e ¼, and the s e ¼ of s w ¼ of section 10, and the n ½ of n e ¼, and e ½ of n w ¼, of section 15, township 6, range 2, west of the Black Hills meridian, which are subdivided into lots and blocks, streets and alleys, according to a recorded plat thereof in the register of deed's office, in said county of Lawrence.

That within the above described limits there is a settled and abiding population engaged in business, commerce, and trade, of every general character, the total number of which population may be fairly estimated from the vote polled at the general election on November 5, 1884, which vote numbered 243.

Wherefore, your petitioners pray: That a charter may be granted, by special act of the Legislature, to the citizens of said place, under the name of the City of Spearfish, similar to charters heretofore granted by special act of the Legislature to other towns in the Territory, and particularly to the towns of Rapid City, in Pennington county, and to Custer City, in Custer county, in said Territory. And so your petitioners will ever pray.

To the Honorable, the Territorial Council and Legislative Assembly of the Territory of Dakota, in Session Asembled:

The petition of the subscribers, citizens of the western portion of Pembina county, respectfully asks:

That the boundaries of the county of Cavalier be so changed as to embrace ranges 58 and 59, in towns 159, 160, 161, 162, 163 and 164, and that the same be added to the present county of Cavalier, thereby enabling us to reach the county seat of our county with more convenience than we can at the present time, it being from seventy-five to ninety miles for the residents of said ranges to reach the county seat of Pembina county, compelling us to travel through the Pembina mountains to do so, the same being at some seasons of the year impassable for horse or man. And for the relief here asked, we, your petitioners, will ever pray.

REMONSTRANCE.

To the Honorable Members of the Dakota Legislature, Bismarck, Dakota:

Against the passage of

Council Bill No. 45, introduced by Mr. Natwick of Brookings. Entitled, or which might be properly entitled, a bill creating a board of health for Dakota;

We, the undersigned residents and citizens of McCook county, Dakota, do most respectfully and emphatically remonstrate against the passage of said Council Bill No. 45, and request all honest and honorable members of the Sixteenth Session, Legislative Assembly, to use all honorable measures to defeat said bill, for the following reasons:

1st. It is a most shameful piece of jobbery, and creates a wholly useless office at an extravagant and unprecedented salary.

2d. It is a direct insult to the people of the respective counties of Dakota, nearly all of whom are possessed of ordinary intelligence and a sufficient amount of good sense to attend to their own sanitary affairs under existing sanitary laws.

3d. It places the appointing of three salaried officers of each county in Dakota in the hands of one man, who is named in said bill, viz: Dr. M. Ware, of Salem, Dakota, who must of necessity be an entire stranger to nearly all his appointees; whereas, in case of need, such appointments should be made by the people of the respective counties, or by their county commissioners, who are supposed, at least, to know of the qualifications of the physicians in their midst.

4th. It opens a wide door for corruption and fraud by way of useless appointments to useless offices.

5th. It is a direct insult to His Excellency the Governor of the Territory, by indirectly offering him a bribe of $12 per day for an indefinite period as a reward for his signing the bill.

6th. It creates a useless clerkship at a salary of $5 per day, to be given to some friend of the superintendent of public health for doing little or nothing, said superintendent being Dr. M. Ware, of Salem, Dakota.

7th. It provides that Dr. M. Ware, of Salem, McCook county, Dakota, shall be superintendent and secretary of said board, at a salary and emoluments which might be made greater than that paid to the Governor, and is entirely a useless sinecure and piece of scandalous jobbery.

8th. It would allow said Dr. M. Ware $20 per month for the rent, etc., of his own office in Salem, Dakota.

9th. We consider the people of the respective counties of Dakota competent to take care of themselves under existing sanitary laws, without employing men of so little intelligence as Dr. M. Ware, of Salem, Dakota, to aid them at a salary of $12 per day, 5 cents per mile for roaming over the Territory, and $20 per month for the rent of his small office in Salem, Dakota.

Wherefore, your petitioners humbly and earnestly pray that so scandalous an outrage may not be perpetrated on the people of Dakota, as the passage in any form of said bill.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 9, 1885.

MR. SPEAKER

Your committee on Engrossed and Enrolled Bills, beg leave to report that we have this 9th day of February, 1885, at 3 o'clock p. m., presented

House Bill No. 36

To His Excellency the Governor for his signature and approval, together with triplicate copies as in the said bill provided.

Also,

Beg leave to report that we have this 9th day of February, 1885, at 2:30 o'clock p. m., presented

House Bills Nos. 13, 16 and 18

To His Excellency the Governor for his signature and approval.

Also,

House Bill No. 76,

Beg leave to report the same back as correctly engrossed.

Also,

House Bill No. 36,

Beg leave to report the same back as correctly engrossed and enrolled, including triplicate copies for due signature and attestation as therein provided.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Elections and Privileges, to whom was referred amended

House Bill No. 125. A bill for an act limiting the time of holding office by sheriffs and county treasurers to two terms and other acts,

After carefully considering the same, desire to report

That said bill do not pass.

J. P. WARD,
Chairman.

MR. SPEAKER:

Your committee on Agriculture have under consideration

House Bill No. 62,

And we recommend that the substitute bill herewith transmitted, do pass.

DONALD STEWAST,
Chairman.

Which bill was referred to general orders.

MOTIONS AND RESOLUTIONS.

Mr. Blakemore moved

That a committee on legislative apportionment be appointed by the Speaker, consisting of twelve members, one member from each district.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

COTNCIL CHAMBER, BISMARCK, February 6, 1885.

MR. SPEAKER:

I herewith transmit

Council Bill No. 11. A bill for an act establishing the

North Dakota Hospital for the Insane, and providing for the government of the Dakota Hospital for the Insane.

Also,

Council Bill No. 97. A bill for an act to repeal chapter 37 of the Session Laws of 1881, relating to pay of county commissioners of Stutsman county.

Also,

Council Bill No. 99. A bill for an act providing for the issue of bonds for the erection of a court house and jail for the county of Wells and other purposes.

Also,

Council Bill No. 91. A bill for an act authorizing the connty of Foster to issue bonds for the building of a court house and jail and for other purposes.

All of which the Council have passed and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Gregg introduced—

House Bill No. 155. A bill for an act to incorporate the city of Spearfish.

Which was read the first time.

Mr. Martin introduced—

House Bill No. 156. A bill for an act defining the crime of forgery and providing for the punishment thereof.

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 157. A bill for an act establishing the Dakota Blind Asylum,

Which was read the first time.

Mr. DeWoody also introduced—

House Bill No. 158. A bill for an act to establish the Central Dakota University at Ordway, Dakota,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 159. A bill for an act to define the boundaries of Billings, Villard, Dunn and Wallace counties, and excepting said counties from the operation of the Herd law.

Which was read the first time.

Also,

House Bill No. 160. A bill for an act to except from the operation of the Herd law, the counties of Harding, Burdick, Ewing, Boreman and McKenzie.

SECOND READING OF HOUSE BILLS.

House Bill No. 124. A bill for an act to authorize the county commissioners of Dickey county to fund its indebtedness.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 126. A bill for a Joint Memorial and Resolution in relation to the pine lands of Minnesota.

Read the second time and referred to the committee on Public Lands.

House Bill No. 130. A bill for an act to enable counties organized, townships, cities and villages to construct irrigating ditches,

Read the second time and referred to committee on Mines and Mining.

House Bill No. 131. A bill for an act making the second edition of Levisee's Code of Dakota presumptive evidence of such laws,

Read the second time and referred to the committee on Judiciary.

House Bill No. 134. A bill for an act to provide for transcribing the records in Edmunds and McPherson counties,

Read the second time and referred to the committee on Judiciary.

House Bill No. 135. A bill for an act to amend section 31, chapter 27 of the Political Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 136. A bill for a Joint Resolution fixing time of final adjournment of Sixteenth Legislative Assembly,

Read the second time and referred to the committee on Territorial Affairs.

House Bill No. 137. A bill for an act to amend section 20 of chapter 39 of the Political Code, in relation to jurors' fees in justice court,

Read the second time and referred to the committee on Judiciary.

House Bill No. 139. A bill for an act to amend section 2, chapter 26, Laws of 1879,

Read the second time and referred to the committee on Judiciary.

House Bill No. 140. A bill for an act creating the county of Marshal and defining the boundaries of Day county,

Read the second time and referred to the committee on Counties.

House Bill No. 142. A bill for an act to establish Independent School District No. 1, Douglas county,

Read the second time and referred to the committee on Education.

House Bill No. 144. A bill for an act to define the boundaries of Cavalier county,

Read the second time and referred to the committee on Counties.

House Bill No. 146. A bill for an act to amend section 569 of the Civil Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 147. A bill for an act to amend section 148, Code of Criminal Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 148. A bill for an act to assess chattel mortgages for county and territorial purposes,

Read the second time and referred to the committee on Judiciary.

House Bill No. 149. A bill for an act to amend section 4, chapter 6 of the Political Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 150. A bill for an act to provide for the disposition of dead bodies of criminals and paupers,

Read the second time and referred to the committee on Public Health.

House Bill No. 152. A bill for an act to create the county of Coe and define its boundaries,

Read the second time and referred to the committee on Counties.

House Bill No. 154. A bill for an act to relocate the county seat of Griggs county,

Read the second time, and
On motion of Mr. Blakemore,
House Bill No. 154
Was laid on the table.
On motion the House
Adjourned.

C. M. REED,
Chief Clerk House.

TWENTY-NINTH DAY.

BISMARCK, Tuesday, February 10, 1885.

The House met pursuant to adjournment at 2 o'clock p. m.,

The Speaker presiding.

Prayer by the Chaplain.

The roll being called
Messrs. Riddell and Scott were absent.

Mr. Scott excused on account of illness.

Mr. Riddell reported subsequent to roll call.

Messrs. Morgan, Lane, McLean, Young, Anderson, Smith and Hawes were granted the privilege of a seat on the floor.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

The following petitions were presented and read:

To the Honorable Members of the Territorial Council and House of Representatives:

HILLSBORO, DAK., February, 9, 1885.

GENTLEMEN:

Whereas a bill has been introduced by Councilman

John Flittie, from Traill county, Dakota, to cut down or diminish the salary of the superintendent of schools of said county of Traill, we believe that said bill, if passed, would have the tendency to be detrimental to the schools in our county.

We therefore, your petitioners, respectfully ask that the salary of the said officer be regulated only by the present law governing same, as passed A. D. 1883.

To the Honorable Members of the Council and House in the Dakota Legislature:

We the undersigned lawful citizens of Billings county, Dakota Territory, do hereby petition for a division of said county in the following manner and for the reasons stated hereafter.

The divisions to be by a line running north and south, through some point a short distance west of Fryburg, said line to be on the eastern edge of the "Bad Lands," and to continue on through Villard county, lying south of Billings, the western county to be called Billings and the eastern county to be called Villard, thus reversing the present position of the two counties, they lying east and west instead of north and south of one another.

Our reasons for thus petitioning are as follows:

The western portion of both the aforesaid counties, lies in the Bad Lands and is adaptable exclusively to stock raising. The eastern portions are wholly of an agricultural nature, which lands end abruptly at the eastern extremity of the Bad Lands. No interests whatever are identical between these two portions of said counties and a different government is required by each.

We also consider it unjust that a stockman should be compelled to pay taxes on property belonging to a farmer and vice versa.

The eastern and western parts of the two counties therefore being thus divided in interest, we hereby petition you for a division of the same as stated above.

And you petitioners will ever pray.

HURON, DAKOTA, February 7th, 1885.

Hon. George Rice, Speaker of Territorial House of Representatives:

At a meeting of the Territorial Farmers' Alliance, held in this city February 4, and embracing over 100 representative farmers of Southeastern Dakota, the following resolution was unanimously adopted:

That we view with alarm the apparent slow progress made by the Legislature in making an adequate provision for the relief of the people from excessive freight rates, and that we ask that body to fix just maximum rates for transporting persons and property in Dakota before it adjourns.

Resolved, That a copy of this resolution be at once transmitted by our secretary to the presiding officer of each branch of our Legislature.

Trusting this may meet your firm and hearty approval,

I am, sir, truly yours,

W. F. F. BUSHNELL.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 10, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 90. A bill for a Joint Resolution authorizing the President of the Council and Speaker of the House of Representatives to appoint stenographers for their respective houses,

And beg leave to report favorably on said bill and recommend that it be passed by this House.

Also,

House Bill No. 129. A bill for an act to change the name of Edward C. Hitchcock and Louisa Jane Hitchcock to Edward C. Brelsford and Louisa Jane Brelsford,

And beg leave to report favorably on said bill and recommend its passage by this House.

Also,

The committee on Judiciary recommend the passage by this House of

House Bill No. 131. A bill for an act making the second edition of Levisee's Code of Dakota presumptive evidence of such laws.

Also,

House Bill No. 24. A bill for an act to repeal chapter 8 of the Session Laws of 1883, entitled an act to create the office of Attorney General, provide for his appointment, and to define his powers and duties, and for other purposes, And beg leave to report unfavorably on said bill and recommend that it be rejected by this House.

Also,

House Bill No. 21. A bill for an act to amend certain sections of part 2, chapter 13 of the Code of Civil Procedure, subject, exemptions,

And recommend that section 1 of said act be amended by striking out the words "seven hundred and fifty" (750), where they occur therein, and inserting instead thereof the words "one thousand."

They also recommend that section 5 and section 6 be changed to section 6 and section 7, respectively, and that a new section to be known as section 5 be inserted in said bill as follows:

Section 5. The provisions of section 1 of this act shall not apply to debts already contracted, or liabilities already incurred at the time of the passage and approval of this act.

Your committee recommend the bill, with the proposed amendments, be passed by this House.

EBEN W. MARTIN,
Chairman.

Mr. Eldredge, from the committee on Judiciary, submitted the following minority report on

House Bill No. 21. A bill for an act modifying the Exemption Laws,

"Do recommend that no part of said House Bill No. 21 do pass."

And the bill was referred to general orders.

MR. SPEAKER:

Your committee on Counties having under consideration

House Bill No. 144,

Have carefully considered the same and recommend that it do pass.

Also,

Council Bill No. 147,

And beg leave to report the same back to the House with the recommendation that it do pass.

MARK WARD,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Swanton moved

That the Secretary of the Territory be requested to provide a suitable and comfortable warmed room for the use of the House of Representatives.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 10, 1885,

MR. SPEAKER:

I herewith transmit

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake county, Dakota.

Also,

Council Bill No. 134. A bill for an act to provide for building a court house and jail in Hamlin county, and for other purposes.

Which has passed the Council on the 9th inst., and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., Feb. 10, 1885.

To the Speaker of the House:

I have the honor to inform the House that I have approved

House Bill No. 13. A bill for an act to amend section 218 of the Code of Civil Procedure,

Also,

That I have this day forwarded to the presiding officer of each House of Congress, and to the delegate representing the Territory of Dakota in Congress, one copy each of the memorial of your honorable body praying for the passage of the Mexican War Pension Bill, now pending in the House of Representatives.

Also,

Have approved

House Bill No. 18. A bill for an act to amend an act entitled an act to employ an assistant sergeant-at-arms for the Council and House.

Also,

House Bill No. 16. A bill for an act to amend section 339 of the Code of Civil Procedure.

GILBERT A. PIERCE,
Governor.

PETITIONS AND RESOLUTIONS.

Mr. Barnes, for the Territorial Farmers' Alliance, introduced the following resolution:

Resolved, That we view with alarm the apparently slow progress made by the Legislature in making any adequate provision for the relief of the people from excessive freight rates, and that we ask that body to fix just maximum rates for transporting persons and property in Dakota before it adjourns.

Resolved, That a copy of this resolution be at once transmitted by our secretary to the presiding officer of each house of our Legislature.

INTRODUCTION OF BILLS.

Mr. Huntington introduced—

House Bill No. 161. A bill for an act to authorize the commissioners of Deuel county to fund its outstanding indebtedness,

Which was read the first time.

Mr. McHugh introduced—

House Bill No. 162. A bill for an act to regulate dealing in passage tickets,

Which was read the first time.

Mr. Miller introduced—

House Bill No. 163. A bill for an act to create a county court in and for unorganized counties in the Territory of Dakota, and to limit the jurisdiction of the same,

Which was read the first time.

Mr. Riddell introduced—

House Bill No. 164. A bill for an act to amend chapter 28 of Political Code, also section 648, chapter 4 of Civil Code,

Which was read the first time.

Mr. Barnes (by request) introduced—

House Bill No. 165. A bill for an act to legalize the acts of J. B. Hall, a notary public,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 166. A bill for an act to define the boundaries of the county of McLean,

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 167. A bill for an act to authorize the county commissioners of Sargent county to issue bonds to fund the debt of said county,

Which was read the first time.

Mr. Pickler introduced—

House Bill No. 168. A bill for an act to provide for taking the census of soldiers and others,

Which was read the first time.

Also,

House Bill No. 169. A bill for an act to provide a charter for the city of Clark,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 132. A bill for an act to incorporate the city of DeSmet,

Read the second time and referred to the committee on Cities and Towns.

House Bill No. 133. A bill for an act to establish and endow a Territorial Normal School at Big Stone City,

Read the second time and referred to the committee on Appropriations.

House Bill No. 151. A bill for an act creating the county of Burbank and defining its boundaries,

Read the second time, and
On motion of Mr. Blakemore,
Was laid on the table.

House Bill No. 153. A bill for an act to provide for the relocation of the county seat of the county of Kidder,

Read the second time and

On motion of Mr. Blakemore,
Was laid on the table.

House Bill No. 158. A bill for an act to establish the Central Dakota University at Ordway, Dakota,

Read the second time and referred to the committee on Appropriations.

The rules were suspended, and
Council Bill No. 90
Was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Langan, Miller, Martin, McCall, Morgan, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Huntington, Helvig, Larson, Myron, Oliver, Swanton, Van Osdel.

Absent and not voting:
Mr. Scott.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS.

House Bill No. 24. A bill for an act repealing the law creating the office of attorney general,

Read the third time and put upon its final passage.

The roll being called there were 10 votes in the affirma- and 36 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Gregg, Huntington, Parshall, Pierce, Runkle, Swanton, Smith, Van Osdel.

Those who voted in the negative were:
Messrs. Barnes, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Stewart, Stong, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Langan and Scott.
So the bill was lost.

House Bill No. 129. A bill for an act changing the names of certain persons,

Was read the third time and put upon its final passage.

The roll being called there were 46 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hobart and Scott.

So the bill passed and its title was agreed to.

House Bill No. 131. A bill for an act making the second edition of Levisee's Code presumptive evidence of such laws,

Was read the third time and put upon its final passage.

The roll being called, there were 47 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Scott being excused.

So the bill passed and its title was agreed to.

The Speaker announced his signature to

Council Bills Nos. 28, 84 and 30.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of

House Bill No. 71. Which was the special order for the day.

Mr. Williams in the chair.

The committee arose and reported as follows:

MR. SPEAKER:

The Committee of the Whole have had under consideration

House Bill No. 71. A bill for an act granting women the right of suffrage,

And recommend the immediate passage of the bill.

E. A. WILLIAMS,
Chairman.

Call of House ordered.

All members being present further proceedings under call dispensed with.

House Bill No, 71

Was then read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Gregg, Huntington, Huston, Hutchinson, Johnson, Langan, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pierce, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Ward of Turner.

Those who voted in the negative were:

Messrs. Dawson, Eldredge, Hobart, Helvig, Larson, Myron, McCumber, McHugh, Oliver, Pugh, Runkle, Ruger, Swanton, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Mr. Scott being absent.

So the bill passed and its title was agreed to.

Mr. Pickler moved

To reconsider the vote by which the bill passed, and to lay the motion on the table.

Which motion prevailed.

Mr. Johnson moved

That the House adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTIETH DAY.

BISMARCK, Wednesday, February 11, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Reading of Journal dispensed with and referred to committee on Printing.

On motion of Mr. Ward of Turner,

Rev. Mr. Wallace was allowed the privilege of a seat on the floor.

PETITIONS AND COMMUNICATIONS.

BISMARCK, Feb. 10, 1885.

To the Honorable House of Representatives:

The Secretary of the Territory was called away unexpectedly on Sunday, and I am not authorized to act for him to the extent implied in your resolution.

Very Respectfully,
RALPH W. WHEELOCK,
In charge of Secretary's office.

MOTIONS AND RESOLUTIONS.

Mr. Runkle introduced the following resolution:

Resolved, That the committee on Public Buildings be instructed to inquire whether there are two pages actually in the service of the House, and whether one page is not at present doing the work which both should do, and whether he should not receive double compensation; also, whether there should not be immediately provision made for additional service of pages, and to report to the House tomorrow.

Mr. Riddell moved

That D. O'Neill be instructed to take charge of the Territorial library until the screen ordered by the Secretary shall arrive.

Which motion prevailed.

Mr. Parshall, by request, offered the following resolution:

WHEREAS, In view of the approaching session of the Supreme Court, the Territorial library has been placed on the shelves prepared for it, but with no means of protecting it until the screen for that purpose arrives;

Resolved, That the assistant sergeant-at-arms of this House be detailed to guard the same until such time as the Secretary of the Territory can complete the arrangements for its protection.

Which was adopted.

Mr. Blakemore offered the following resolution:

Resolved, That the messenger of the House be instructed to distribute daily one copy of the Council Journal to each member of the House, and that the messenger of the Council be instructed to distribute daily one copy of the House Journal to each member of the Council.

Which was adopted.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 79. A bill for an act to amend section 3 of chapter 63 of the Laws of 1883,

And recommend that the same be rejected by this House.

Also,

Council Bill No. 76. A bill for an act to amend section 101 of chapter 9 of the Code of Civil Procedure,

And beg leave to report in favor of said bill and recommend its passage by this House.

EBEN W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred

Council Bill No. 88. A bill for an act to authorize the purchase and distribution of two hundred and fifty copies of the third volume of Dakota Supreme Court Reports, have had the same under consideration, and report the same back to the House with the recommendation that the bill do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee having under consideration

House Bill No. 5, report for the same a substitute and recommend that it do pass.

MARK WARD,
Chairman.

The bill was referred to general orders.

BISMARCK, February 11, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment beg leave to report that we have this 11th day of February, 1885, at 2:30 o'clock p. m., presented

House Bill No. 120

To His Excellency the Governor for his signature and approval.

Also,

House Bill No. 71,

Beg leave to report the same back as correctly engrossed.

Also,

House Bill No. 120

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Judiciary has considered

House Bill No. 85. A bill for an act to provide justices of the peace with a treatise upon justice courts, school laws and township organizations.

And beg leave to submit herewith an amended bill, and recommend the said bill as amended be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

And the bill was referred to general orders.

MR. SPEAKER:

Your committee on Judiciary have examined and considered

House Bill No. 80. A bill for an act relating to fees for the service of legal process,

Ane beg leave to recommend that the following words be added at the end of section 3: "Or to the service of any municipal process by the marshal or other qualified officer of any village, town or city."

Your committee further recommends the said bill with such amendment be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

And the bill was referred to general orders.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 27,

And beg leave to recommend that section 3 be changed to section 4 in the original bill, and that a new section be inserted in said bill to be known as section 3 as follows: "Section 3. That the register of deeds shall be entitled to charge and receive a fee of twenty-five (25) cents for recording each official bond recorded by him pursuant to this act, to be paid by the principal in said bond." Your committee further recommend that the said bill so amended be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

And the bill was referred to the committee on General Orders.

MR. SPEAKER:

Your committee on Judiciary have examined and considered

House Bill No. 69. A bill for an act to amend section 91 of chapter 21 of the Political Code, And recommend that the bill be amended by striking out the last clause, as follows: "And shall also provide a fire-proof safe or vault in which to safely keep the books, papers and records of the office." Your committee further recommend that the said bill so amended by striking out the said words be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

And the bill was referred to the committee on General Orders.

MR. SPEAKER:

Your Committee on Judiciary have considered House Bill No. 74. A bill for an act authorizing the county treasurers to bid off real estate in the name of the county, where there are no other bidders, and to provide for the transfer or redemption thereof.

And recommend that it be amended by inserting in the fifth line of the original bill of section 1, after the word "bidders," the following words: "Offering the amount due;" and further by inserting after the word "taxes," in the seventh line of section 1, the following words: "penalty, interests and costs," and recommend with said amendments that the bill be passed by this House.

E. W. MARTIN,
Chairman.

And the bill was referred to the committee on General Orders.

INTRODUCTION OF BILLS.

Mr. Oliver introduced—

House Bill No. 170. A bill for an act to amend section 39, chapter 75 of the Session Laws of 1883, in regard to drainage,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 171. A bill for an act to locate, establish and endow a Territorial Normal School at Grafton, Dakota,

Which was read the first time.

Also,

House Bill No. 172. A bill for an act to provide for the inspection of illuminating oil,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 173. A bill for an act regulating the practice in district courts,

Which was read the first time.

Mr. Morgan introduced—

House Bill No. 174. A bill for an act establishing an independent school in District No. 1, Traill county, Dakota,

Which was read the first time.

Mr. Williams introduced, by request—

House Bill No. 175. A bill for an act amending an act entitled an act to establish and provide for the maintenance of a general uniform system of common schools and improve their usefulness,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 156. A bill for an act defining the crime of forgery and providing the punishment therefor,

Read the second time and referred to the committee Judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 144. A bill for an act defining the boundaries of Cavalier county.

The bill was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Huston, Langan, Pickler, Ruger, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Substitute for
Council Bill No. 11. A bill for an act establishing the North Dakota hospital for the insane,

Was read the first time.

Council Bill No. 91. A bill for an act authorizing the county of Foster to issue bonds for building a court house, and other purposes,

Was read the first time.

Council Bill No. 98. A bill for an act to repeal chapter 37, Session Laws of 1881, relating to pay of county commissioners of Stutsman county,

Was read the first time.

Council Bill No. 99. A bill for an act providing for the issue of bonds for the erection of court house and jail for the county of Wells, and for other purposes,

Was read the first time.

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake county, Dakota,

Was read the first time.

Council Bill No. 134. A bill for an act to provide for building a court house and jail in Hamlin county, and for other purposes,

Was read the first time, and

On motion of Mr. Pierce,

The rules were suspended and the bill read the second and third times and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huston, Langan, McHugh, Oliver, Ruger, Van Osdel.

So the bill passed and its title was agreed to.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 51. A bill for an act to repeal chapters 60 and 108 of the Laws of 1883, and for other purposes,

Read the second time and referred to the committee on Territorial Affairs.

Council Bill No. 128. A bill for an act establishing Independent School District No. 4, Lake county, Dakota,

Read the second time and referred to the committee on Education.

THIRD READING OF COUNCIL BILLS.

Substitute for

Council Bill No. 76. A bill for an act to amend section 101, chapter 9, Code of Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van-Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Huston, Hobart, Johnson, Langan, Ruger, Williams.

So the bill passed and its title was agreed to

Council Bill No. 79. A bill for an act to amend section 3, chapter 63 of Laws of 1883,

Was read the third time and referred to committee on Agriculture.

Council Bill No. 88. A bill for an act to authorize the purchase and distribution of 250 copies third volume of Dakota Supreme Court reports,

Read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huston, Helvig, Larson, McHugh.

Absent and not voting:

Messrs. DeWoody, Hobart, Langan, Morgan, Parshall, Ruger.

So the bill passed and its title was agreed to.

Council Bill No. 147. A bill for an act constituting Ransom and Sargant counties a judicial sub-division and for other purposes,

Was read the third time, and put upon its final passage.

The roll being called, there were 38 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, Morgan, McHugh, Oliver, Parshall, Pierce, Runkle, Riddell, Roach, Steele, Stevens, Smith, Sprague, Scott, Stewart, Stong Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. McCumber, Pickler, Pugh, Southwick, Stebbins, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Martin, Ruger, Swanton.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

BISMARCK, Wednesday, February 11, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 41. A bill for an act authorizing the board of county commissioners of Custer county to levy a 10-mill tax for a county general fund.

Also,

House Bill No. 107. A bill for an act providing a clerk for the committee on Appropriations.

Also,

House Bill No. 23. A bill for an act authorizing the county of Morton to issue bonds for the purpose of procuring grounds and erecting thereon a court house and jail.

Also,

House Bill No. 54. A bill for an act legalizing the incorporation of the village of Valley Springs and other acts.

Also,

House Bill No. 37. A bill for an act creating the county of Ward, defining its boundaries and for other purposes.

Also,

House Bill No. 82. A bill for an act to amend section 53 of chapter 44 of the Laws of 1883, and to provide what fund money paid into the county treasury for license to sell intoxicating liquors, shall be applied, with an amendment.

Also,

House Bill No. 32. A bill for an act to authorize the county commissioners of Hyde and Day counties to fund the outstanding indebtedness thereof, which the Council amended by adding the word "Hyde." To all of which the Council have concurred in and which are respectfully submitted.

W. G. EAKINS,
Assistant Chief Clerk.

The Speaker announced his signature to Council Bills Nos. 90 and 100.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of the General Orders, with Mr. Oliver in the chair.

When the committee arose,

Mr. Pickler moved

To suspend the rules and that to-morrow after roll call the House proceed to the further consideration of General Orders.

Which motion prevailed.

On motion the House
Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTY-FIRST DAY.

BISMARCK, Thursday, February 12, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

The roll being called,
Messrs. Helvig, Clark, Parshall and Smith were absent.

Mr. Helvig excused on account of illness.

The others reporting after roll call.

The reading of the Journal was dispensed with, and referred to the committee on Printing.

By unanimous consent,
The House took up consideration of Council messages,
And on motion of Mr. Oliver,
The Council amendments to
House Bill No. 37
Were concurred in,
And
On motion of Mr. Blakemore,
The Council amendment to
House Bill No. 32
Was concurred in.

On motion of Mr. DeWoody,
The further consideration of
House Bill No. 21
In General Orders, was postponed until Tuesday next.

Mr. Williams moved
To amend by including
House Bill No. 5.

Which motion was lost,
And the original motion prevailed.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of the general orders, with
Mr. Blakemore in the chair.

When the committee rose, the following report was made:

MR. SPEAKER:

The Committee of the Whole House have had under consideration
House Bill No. 121. A bill for an act regulating charges for handling, inspecting and cleaning grain,
And recommend that the bill be referred to a Joint Committee, consisting of the committee on Warehouses, Grain Grading and Dealing and the committee on Agriculture, with the chairman of the Warehouse and Grain Grading and Dealing as chairman, and that said committee be requested to give the matter early consideration.

Also,
House Bill No. 5. A bill for an act to define the boundaries of Kidder county and the substitute therefor as proposed by the committee on Counties,
And recommend that
The substitute bill of the committee on Counties do pass.

Also,
House Bill No. 21. A bill for an act to amend certain sections of part 27, chapter 13 of the Code of Civil Procedure; subject, exemptions; together with the majority report of the Judiciary committee, proposing certain amendments to the bill and also the minority report of said committee against the passage of the bill.

And your committee recommend that it be considered as a general order for Tuesday next, and ask leave to sit again.
Also,
House Bill No. 27. A bill for an act providing for recording official bonds, with the amendment thereto reported from the Judiciary committee, and

Recommend that the words twenty-five cents in section 3 be stricken out and fifty cents inserted in lieu thereof, and

That the bill when so amended do pass.

Also,

House Bill No. 34,

With the substitute reported from the committee on Agriculture, and

Recommend that section 1 be amended by striking out the words "shall reside," and substitute in lieu thereof the words "shall have his office in," and that section 3 be stricken from the original and substitute bill.

Also, section 7, and do further recommend that the bill be referred back to the committee on Agriculture with instructions to prepare a substitute therefor.

Also,

Council Bill No. 23

And recommend that said bill be referred back to the committee on Judiciary.

Also,

House Bill No. 80,

With the amendments proposed by the committee on Judiciary, and

Recommend that the word "civil" be inserted before "action," wherever it occurrs and that the bill when so amended, together with the amendment of the committee on Judiciary, do pass.

Also,

House Bill No. 85. A bill for an act providing a Justices Court treatise for use of justices of the peace, and

Recommend that the bill be amended to except the counties of Moody, Day, Edmunds, Ramsay, Douglass, Hutchinson, McPherson, Roberts, Campbell, Ramson and Cass from the provisions of this act, and that

That the bill be recommitted to the committee on Judiciary with instructions to draft a substitute, authorizing the county commissioners to order the book named instead of making the purchase compulsory.

Also,

House Bill No. 69. A bill for an act to amend section 91, chapter 21 of the Political Code, with the amendment proposed by the committee on Judiciary, and

Recommend that the bill do pass as amended.

Very Respectfully,

JOHN T. BLAKEMORE,

Chairman.

Mr. Williams moved
That the report of the committee be considered as unfinished business to-morrow,

Which motion was lost.

Mr. Hobart moved
To adopt the report of the committee.

Mr. Williams moved
To amend by excepting so much of the report as relates to House bill No. 5.

Mr. Steele moved
To lay the amendment on the table,

Which motion prevailed,

And the original motion to adopt was carried.
The Speaker announced his signature to House Bills Nos. 23, 41, 107 and 37.

MESSAGES FROM THE COUNCIL.

COUNCIL CHAMBER, BISMARCK February 12, 1885.

MR. SPEAKER:
I transmit herewith
Council Bill No. 144. A bill for an act for the incorporation of the town of Scotland.

Also,
Council Bill No. 155. A bill for an act to amend sections 423 and 424 of the Code of Criminal Procedure of the Territory of Dakota.

Also,
Council Bill No. 145. A bill for an act to incorporate the city of Watertown, in Coddington county,
Which the Council have passed, and to which your concurrence is respectfully requested.

A. W. Howard,
Chief Clerk Council.

MR. SPEAKER:

I transmit herewith
Council substitute for House Bill No. 106. A bill for an act providing for a special election in the county of McHenry,
Which the Council has adopted and passed this day.

Very respectfully,
W. G. EAKINS,
Assistant Chief Clerk Council.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., Feb. 12, 1885.

To the Honorable Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 120. A bill for an act to appropriate funds for the payment of all persons employed in and about the Capitol building.

GILBERT A. PIERCE,
Governor.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 12, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 37,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 23, 41 and 107,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 12th day of February, 1885, at 3 o'clock p. m,. presented

House Bills Nos. 23, 41 and 107

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 12th day of February, 1885, at 5 o'clock p. m., presented

House Bill No. 23

To His Excellency the Governor for his signature and approval.

Also,

Ask leave to report that they have examined

House Bill No. 54. A bill for an act legalizing the incorporation of the village of Valley Springs, and other acts,

And find the same to be correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

INTRODUCTION OF BILLS.

By unanimous consent,
The following bills (by request) were introduced:

Mr. Eldredge introduced—
House Bill No. 176. A bill for an act authorizing the county commissioners of Roberts county to fund the outstanding indebtedness thereof,

Which was read the first time.

Mr. Blakemore introduced—
House Bill No. 177. A bill for an act to amend section 10, chapter 20 of the Session Laws of 1883,

Which was read the first time.
Mr. Hobart introduced—
House Bill No. 178. A bill for a Joint Resolution,
Which was read the first time.

Mr. Pierce introduced—
House Bill No. 179. A bill for an act to amend section 7, chapter 21, Political Code, in regard to location of county seats,
Which was read the first time.
Mr. Williams moved

To recommit House Bill No. 5 to the committee on Counties.
Which motion was lost.
Mr. Johnson moved
To adjourn.
Which motion was lost.
Mr. Coe asked unanimous consent to introduce a resolution.
Which was objected to.
Mr. Johnson moved
To adjourn.
Which motion was lost.
Mr. Pickler moved
To suspend the rules and allow Mr. Coe to introduce his resolution.
Which motion was lost.
Mr. Johnson moved
To adjourn.
Which motion prevailed.
Adjourned.

C. M. REED,
Chief Clerk House.

THIRTY-SECOND DAY.

BISMARCK, Friday, February 13, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. DeWoody, Oliver, Pierce, Riddell, Steele and Southwick absent at roll call but reported subsequently.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

KAMPESKA, February 9, 1885.

We, the citizens of Kampeska, respectfully submit the enclosed remonstrance. The circulation has been very limited. If necessary, we can obtain hundreds of names. Hoping you will give us an impartial hearing for this we humbly pray.

CITIZEN.

KAMPESKA, Dak., February 7, 1885.

To the Honorable Legislative Body of the Territory of Dakota:

WHEREAS, The citizens of the village of Watertown, Codington county, Dakota Territory, have petitioned your body to grant them a special charter changing the name of said Watertown to Kampeska. And

WHEREAS, There being already a village of Kampeska, situated nine (9) miles west of said Watertown and two

(2) miles southwest of Lake Kampeska, having also a postoffice in said village called Kampeska postoffice;

We, the undersigned citizens of said Kampeska and vicinity, claim the present name by right of prior ownership, the name Kampeska being recorded on the county records of Codington county.

We hereby remonstrate, the reasons of said remonstrance being stated above.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 13, 1885.

MR. SPEAKER:

Your committee on Counties having under consideration House Bill No. 115,

Report therefor a substitute, and

Recommend that the same do pass.

MARK WARD,
Chairman.

Mr. Langan offered a substitute for

House Bill No. 115,

And moved that the bill, the substitute proposed by the committee on Counties, and the substitute offered by him, be referred to the committee on Towns and Cities.

Which motion did not prevail.

Mr. Ward, of Turner, moved

To adopt the report of the committee on Counties.

Which motion prevailed.

On motion of Mr. Langan,

The rules were suspended and the bill read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and 6 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Piercé, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Miller, Morgan, Scott, Stewart, Williams.

Absent and not voting:
Messrs. Huntington, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Langan gave notice that he would on to-morrow move to reconsider the vote by which the bill passed.

Mr. Ward, of Turner, moved to reconsider the vote by which the bill passed.

Mr. Swanton moved to lay the motion on the table.

Which motion prevailed.

Ther roll being called on the motion to lay the motion to reconsider on the table, there were 25 votes in the affirmative, and 22 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Mr. Hutchinson.

And so the motion prevailed, and
Council Bill No. 57
Was recommitted to the committee on Appropriations.

MR. SPEAKER:

Your committee on Appropriations to whom was referred
Council Bill No. 57. A bill for an act to locate, establish and endow a School of Mines for the Territory of Dakota,
Have had the same under consideration and report the same back with the recommendation that it do pass.

J. A. PICKLER,
Chairman.

Mr. DeWoody moved
To recommit Council Bill No. 57 to the committee on Appropriations.

Yeas and nays demanded.

Mr. DeWoody moved
A call of the House.

Mr. Roach moved
That further proceedings under the call be dispensed with.

Which motion prevailed.

The roll being called on the motion to recommit, there were 25 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Roach, Ruger, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall, Pierce, Runkle, Riddell, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Messrs. Clark, Hutchinson, Steele.

So the bill was recommitted,

Mr. Pickler moved
To reconsider the vote by which the bill was recommitted.
Mr. DeWoody moved
To lay the motion on the table.
Yeas and nays were demanded.
Call of the House demanded, and
On motion of Mr. DeWoody
Proceedings, under the call, were dispensed with, and the motion to lay on the table prevailed.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred
House Bill No. 132,
Would report that we have considered the same and recommend that the bill do pass.

M. L. MILLER,
Chairman.

Mr. Barnes moved
To suspend the rules, and that
House Bill No. 132
Be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called upon the final passage of the bill, there were 46 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Hutchinson and McCall.

So the bill passed and its title was agreed to.

MR. SPEAKER:

Your committee on Towns and Cities have had
Council Bill No. 158
Under consideration, and report the same back with an amendment, and recommend that the bill do pass as amended.

Amend sub-division 34 of section 7, by striking out "sixth," in the third line from the last, and insert "fourth."

M. L. MILLER,
Chairman.

On motion of Mr. Smith,
The report of the committee was adopted.

Mr. Smith moved
To suspend the rules, and that
Council Bill No. 158
Be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutch-

inson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, McHugh, Oliver, Ruger.

So the bill passed and its title was agreed to.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred

Council Bill No. 15. A bill for an act for the erection of additional buildings for the North Dakota hospital for the insane, and for other purposes,

Have had the same under consideration, and report same back with the recommendation that the bill do pass.

J. A. PICKLER,
Chairman.

Mr. Pickler moved

To recommit to the committee on Appropriations.

Which motion prevailed.

MR. SPEAKER:

Your committee on Highways, Bridges and Ferries, to whom was referred

House Bill No. 46. A bill for an act to establish a public highway on the county line between Yankton and Turner and Yankton and Clay counties,

Respectfully report that they have examined the same, and recommend that it do pass.

Also,

House Bill No. 95. A bill for an act to amend sections 12 and 21 of chapter 112 of the Session Laws of 1883, further report favorably on said bill and recommend that it do pass.

A. McCALL,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 128,

Have carefully considered the same and beg leave to report therefor a substitute bill, and recommend that the substitute bill do pass.

MARK WARD,
Chairman.

And the bill and substitute were referred to general order.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 79,
Have considered the same, and we respectfully recommend that the same pass as amended.

DONALD STEWART,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 126,
Report the same back with recommendation that it do pass.

GEO. H. JOHNSON,
Chairman.

MR. SPEAKER:

Your committee having under consideration
Council Bill No. 98
Have considered the same and recommend it do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment beg leave to report that we have this 13th day of February, 1885, at 6 o'clock p. m., presented
House Bills Nos. 32 and 54 to His Excellency the Governor for his signature and approval.

V. V. BARNES,
Chairman.

REPORTS OF SELECT COMMITTEES.

MR. SPEAKER:

Your special committee on Elections, to whom was referred the case of

Anderson vs. Hutchinson,
Beg leave to report as follows:

That we have had said case under consideration and fully investigated the same, and find:

First, That the evidence shows that T. G. Anderson received a plurality of votes cast in the district.

Second, That T. G. Anderson sold out and withdrew his contest under such circumstances that we cannot honestly recommend that he be seated.

Third, That certain men, friends of Mr. Hutchinson, took part in and made the arrangements with Mr. Anderfon in reference to the selling out and withdrawal of said Anderson.

Fourth, That the evidence shows that Mr. Hutchinson took no part in the transactions, and had no personal knowledge of such tsansactions.

Dated February 13, 1885.

V. V. BARNES,
E. B. DAWSON,
G. W. PIERCE,
C. E. HUSTON.
A. L. VAN OSDEL,
HENRY W. COE,
P. J. MCCUMBER.

MR. SPEAKER:

The undersigned members of your special committee on Elections beg leave to submit the following in connection with the report of said committee, in the case of

Anderson vs. Hutchinson:

That we recommend that E. T. Hutchinson be unseated, for the reason that he did not receive a plurality or majority of the votes of the people, and is therefore not entitled to a seat in this House, T. G. Anderson having received about 200 more votes than said Hutchinson.

That said Anderson received a plurality of the votes cast in said district, but should not be permitted to take a seat in the House, for the reason that he bartered away his right to such seat, and surrendered the majority vote of his constituents for the sum of three hundred dollars ($300), under cover of a land sale devised and carried out by said Anderson and one Dr. E. N. Falk, and other friends of said Hutchinson.

That said seat be declared vacant, and immediate steps be taken in accordance with the law, to fill the same with a representative chosen by a majority vote of the people.

Dated February 13, 1885.

V. V. BARNES,
A. L. VAN OSDEL.

Upon presentation and reading of the report of the committee,

Mr. Coe offered the following resolution:

Resolved, That this House accept the withdrawal of T. G. Anderson from the contest of Anderson vs. Hutchinson, and declare that E. T. Hutchinson, who now holds the certificate of election from the Eleventh Legislative District, shall retain his seat in this House.

Upon the adoption of the resolution the yeas and nays were demanded.

The roll being called, there were 29 votes in the affirmative, and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Miller, McCall, McCumber, Morgan, McHugh, Pickler, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Dawson, Helvig, Larson, Myron, Parshall, Pierce, Riddell, Southwick, Smith, Sprague, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Hutchinson, Langan, Martin, Oliver, Swanton.

Messrs. Williams and Sprague explaining their votes.

Mr. McHugh moved

To reconsider the vote by which the resolution passed,

And to lay the same on the table.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Van Osdel introduced the following resolution:

WHEREAS, Information has reached the special committee on Elections in the way of evidence brought before that committee, which convinces the members of said committee that one Martin Sullivan, assistant sergeant-at-arms of this House, was cognizant of and took part in the dishonorable transaction in regard to the selling out and withdrawal of T. G. Anderson as contestant against E. T. Hutchinson, and

WHEREAS, Evidence was produced before that committee, that said Sullivan was present when the withdrawal was signed by said Anderson, and at the time or immediately after the $300 was paid by Dr. E. N. Faulk to said Anderson, under cover of a land sale, in partial consideration of said Anderson's withdrawal; therefore

Resolved, That the members of this House have no further use for said Martin Sullivan, and that the office of assistant sergeant-at-arms is hereby declared vacant.

Which was referred to the standing committee on Elections.

Mr. Pickler introduced the following resolution:

Resolved, That E. L. Segner be employed as mail carrier for the House with same pay as other carriers, and that the same be referred to the committee on Public Buildings, with instructions to report to-morrow morning.

Which resolution was adopted.

Mr. Martin moved

That Rule 53 be amended so that the hour of daily meeting shall be 10 o'clock in the morning.

Which motion prevailed.

Mr. Miller offered the following resolution:

Resolved, That the Secretary of the Territory of Dakota be requested to procure lights and oil for the use of the House.

Which resolution was adopted.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, February 13, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 41. A bill for an act authorizing the board of county commissioners of Custer county to levy a ten mill tax for general fund.

Also,

House Bill No. 107. A bill for an act providing a clerk for the committee on Appropriations.

GILBERT A. PIERCE,
Governor.

MESSAGE FROM THE COUNCIL.

MR. SPEAKER:

I transmit herewith

Council Bill No. 207

For a concurrent resolution of the Council and House of Representatives of the Legislative Assembly of the Territory of Dakota,

Which the Council has passed and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Johnson introduced—

House Bill No. 180. A bill for an act to provide for the inspection of steam boilers, etc.,

Which was read the first time.

Mr. Morgan introduced—

House Bill No. 181. A bill for an act to prohibit certain officers from serving process under the general laws of the Territory and prohibiting their being allowed compensation therefor,

Which was read the first time.

Mr. Van Osdel introduced—

House Bill No. 182. A bill for an act to amend chapter 99 of the Session Laws of 1883,

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 183. A bill for an act authorizing the board of county commissioners of McPherson to fund outstanding indebtedness,

Which was read the first time.

Mr. Riddell introduced—

House Bill No. 184. A bill for an act to provide shades for windows in the House not already provided therewith,

Which was read the first time.

Also,

House Bill No. 185. A bill for a Joint Resolution for payment of persons employed about the capitol building,

Which was read the first time.

Mr. Pickler introduced—

House Bill No. 186. A bill for an act to provide for the erection of a court house and jail for the county of Clark and other purposes,

Which was read the first time.

Mr. Southwick introduced—

House Bill No. 187. A bill for an act creating a Board of Public Examiners for the Territory of Dakota,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 188. A bill for an act to amend section 72 of an act incorporating the city of Deadwood,

Which was read the first time.

Also,

House Bill No. 189. A bill for an act to amend subdivision 1st, section 12, of an act incorporating the city of Deadwood,

Which was read the first time.

Also,

House Bill No. 190. A bill for an act to repeal subdivision second, section 12 of an act incorporating the city of Deadwood,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 191. A bill for an act amending section 104, Code of Civil Procedure,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 192. A bill for an act authorizing the county of Fall River to construct a county bridge over the Cheyenne river, and to issue bonds therefor,

Which was read the first time.

Also,

House Bill No. 193. A bill for an act presenting the mode of listing, assessing and the levy and collection of taxes,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 194. A bill for an act providing nine commissioner districts for Brown county, and on motion

The rules were suspended and the bill was read the first, second and third times and placed on its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward, of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Gregg, Hobart, Langan, Oliver, Ruger, Stevens, Swanton, Stewart, Williams.

And so the bill passed and its title was agreed to.

Mr. Parshall introduced by request—

House Bill No. 195. A bill for an act to vacate portions of the townsite of Springfield,

Which was read the first time.

Mr. Dawson introduced—

House Bill No. 195. A bill for an act to amend the charter of the city of Vermillion,

Which was read the first time.

Mr. Miller introduced, by request—

House Bill No. 197. A bill for amendments to chapter 26, Laws of 1879, regulating the sale of intoxicating liquors,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 138. A bill for an act to provide for the appointment of sheep inspectors,

Read the second time and referred to the committee on Agriculture.

House Bill No. 157. A bill for an act establishing the Dakota Blind Asylum,

Read the second time and referred to the committee on Appropriations.

House Bill No. 159. A bill for an act to define the boundaries of Billings, Villard, Dunn and Wallace counties, and exempting the same from the operation of the Herd law,

Read the second time and referred to the committee on Counties.

House Bill No. 160. A bill for an act to exempt from the operation of the Herd law, the counties of Harding, Burdick, Ewing, Bowman and McKenzie,

Read the second time and referred to the committee on Territorial Affairs.

House Bill No. 161. A bill for an act to authorize the commissioners of Deuel county to fund the outstanding indebtedness thereof,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 162. A bill for an act to regulate dealing in passage tickets,

Read the second time and referred to the committee on Railroads.

House Bill No. 163. A bill for an act to create a county court in and for organized counties in Dakota, and to define and limit the jurisdiction thereof,

Read the second time and referred to the committee on Judiciary.

House Bill No. 164. A bill for an act to amend chapter 28 of the Political Code, also section 648, chapter 4 of the Civil Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 165. A bill for an act to legalize the acts of J. B. Hall, a notary public,

Read the second time and referred to the committee on Judiciary.

House Bill No. 166. A bill for an act to define the boundaries of the county of McLean,

Read the second time and referred to the committee Counties.

House Bill No. 168. A bill for an act providing for taking the census of soldiers, and for other purposes,

Read the second time and referred to the committee on Military Affairs.

House Bill No. 169. A bill for an act providing charter for the city of Clark, Dakota,

Read the second time and referred to the committee on Cities and Towns.

House Bill No. 170. A bill for an act to amend section 39, chapter 75 of the Session Laws of 1883, in regard to drainage,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 172. A bill for an act to provide for the inspection of illuminating oils,

Read the second time and referred to the committee on Territorial Affairs.

House Bill No. 173. A bill for an act regulating practice in the District Court,

Read the second time and referred to the committee on Judiciary.

House Bill No. 174. A bill for an act establishing Independent School District No. 1, of Traill county, Dakota Territory,

Read the second time and referred to the committee on Education.

THIRD READING OF HOUSE BILLS.

House Bill No. 5. A bill for an act to define the boundaries of Kidder county,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, DeWoody, Gregg, McCall, Stevens, Stong, Williams.

Absent and not voting:

Messrs. Barnes, Huntington, Langan, Martin, McCumber, Oliver, Southwick, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 27. A bill for an act providing for the recording of the official bonds of civil officers,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Parshall, Smith, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Gregg, Huntington. Langan, Oliver, Southwick, Swanton.

So the bill passed and its title was agreed to.

An act to establish a public highway on the county line between the counties of Yankton, Turner and Clay.

House Bill No. 46

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Langan, Oliver, Swanton.

So the bill passed and its title was agreed to.

House Bill No. 80. A bill for an act relating to fees for the service of legal process,

Was read the third time and put upon its final passage.

The roll being called there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Langan, Oliver, Swanton.

So the bill passed and its title was agreed to.

House Bill No. 95. A bill for an act to amend sections 12 and 21 of chapter 112 of the Laws of 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Langan, Oliver, Swanton.

So the bill passed and its title was agreed to.

House Bill No. 128. A bill for an act locating the county seat of Brule county,

Was read the third time and put upon its final passage.

The roll being called there were 42 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Parshall voting in the negative.

Absent and not voting:

Messrs. Johnson, Langan, Oliver, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

The Speaker announced his signature to House Bill No. 54.

Messrs. Oliver and Swanton were excused on account of illness.

On motion

The house adjourned to meet to-morrow at 10 o'clock.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTY-THIRD DAY.

BISMARCK, Saturday, Feb. 14, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. Gregg, Langan, Miller, McCumber, Morgan, McHugh, Oliver, Swanton and Scott being absent.

Messrs. McHugh, Oliver and Swanton excused on account of illness, and Messrs. Gregg, Langan, Miller, McCumber, Morgan and Scott reported subsequently.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND RESOLUTIONS.

By unanimous consent,

Mr. Pierce introduced the following resolution:

Resolved, That all privileges of the House heretofore granted are hereby revoked, and that it is the sense of this House that further privileges should not be granted, and that newspaper representatives are requested to occupy the places provided for them at the reporters' tables.

Which resolution was adopted.

PETITIONS AND COMMUNICATIONS.

GRAND FORKS, Dak., Feb. 11, 1885.

Copy of resolution of chamber of commerce adopted February 11, 1885, unanimously:

Resolved, By the chamber of commerce of Grand Forks, that it is the sentiment of said body that the bill reported by the committee of the Lower House of the Minnesota Legislature, regulating grain warehouses, inspection and transportation, is a complete, adequate and clear remedy for the wrongs suffered by the farming and business communities of the northwest, and that while it will work no injustice to the railroad companies under reasonable interpretation, it will effect an open market and free competition for the No. 1 hard wheat of North Dakota, and thereby enrich farmers and merchants alike and promote settlement and trade, all of which, instead of harming the railroads, will increase their traffic and proportionately benefit them.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Engrossed and Enrolled Bills, to whom was referred

House Bill No. 32,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 69,

Beg leave to report the same back as correctly engrossed.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee have examined
Council Bill No. 51
And recommend that it do pass.

Also,
House Bill No. 136,
Have examined same and recommend it do not pass.

Also,
Your committee have thoroughly examined
House Bill No. 94,
And recommend it do not pass for the following reasons:

1st. As near as we can ascertain there are but six blind in the Territory.

2d. At the rate appropriations are being asked for we will bankrupt the Territory before the Sixteenth Session is ended.

S. E. STEBBINS,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 53,
Have considered the same and recommend it do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Public Buildings, to whom was referred
A resolution requesting the appointment of E. L. Signer as mail carrier to the House;
Respectfully recommend that it do pass.

W. H. RIDDELL,
Chairman.

Mr. Pickler moved
That the report of the committee be adopted.

Which motion prevailed.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER:

Your select committee,
Consisting of the members from the First Legislative District,
To whom was referred
Council Bill No. 32. A bill for an act in relation to the bonds and coupons issued by the township of Elk Point, Union county, Dakota,

Beg leave to report the bill back with amendments,
And recommend that the bill do pass as amended.

JOHN LARSON,
Chairman.

Mr. Martin moved
To adopt the report of the committee and the amendments proposed by them.

Which motion prevailed.

Mr. Pickler moved
To suspend the rules and that
Council Bill No. 32
Be read the third time and put upon its final passage.

Which motion prevailed,
And the bill read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Clark, Eldredge, Langan, McHugh, Oliver, Riddell, Southwick, Swanton.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS.

Mr. Barnes moved
To reconsider the vote by which
Council Bill No. 158
Was passed.

The ayes and nays were demanded.

The roll being called, there were 35 votes in the affirmative and 6 votes in the negative, viz:

Those who voted in the affirmative were;
Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCum-

ber, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Steele, Southwick, Stevens, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Bayard, Gregg, Miller, Riddell, Ruger, Scott.

Absent and not voting:
Messrs. Eldredge, Morgan, McHugh, Oliver, Swanton, Smith, Van Osdel.

So the motion prevailed, and
Mr. Pickler moved
To recommit bill to committee on Towns and Cities,
With instructions to report as to the powers of the city to regulate houses of ill fame.

Which motion prevailed.

Mr. Stong moved
To strike from the records all resolutions and proceedings relating to the assistant sergeant-at-arms.

Which motion prevailed.

Mr. Pickler moved
To reconsider the vote by which
House Bill No. 194
Was passed.

Mr. Coe moved
To lay the motion on the table.

Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Martin introduced—
House Bill No. 198. A bill for an act to amend section 414 of the Code of Civil Procedure,

Which was read the first time.

Mr. Coe introduced—
House Bill No. 199. A bill for an act relating to the discharge of railroad employes and the payment of wages due,

Which was read the first time.

Mr. Hutchison introduced—
House Bill No. 200. A bill for an act to define the boundary between Hyde and Hand counties,

Which was read the first time.
Mr. Ward, of Brule, introduced—

House Bill No. 201. A bill for an act prescribing the time and place for holding the District Court exercising the powers and jurisdiction of the District and Circuit Courts of the United States within the Second Judicial Districts,

Which was read the first time.

Mr. Steele introduced—

House Bill No. 202. A bill for an act to provide for the organization and government of the University of Missouri and for other purposes,

Which was read the first time.

Mr. Riddel introduced—

House Bill No. 203. A bill for an act authorizing the purchase of coal for the Capitol building,

Which was read the first time.

The rules were suspended, the bill read the second time and referred to the committee on Public Buildings.

Mr. Scott introduced—

House Bill No. 204. A bill for an act regulating the term of office of Auditor in the counties of Cass, Grand Forks, Traill and Richland,

Which was read the first time.

Mr. Larson introduced—

House Bill No. 205. A bill for an act to repeal sections 17, 18, 19, 20 and 21, in relation to road tax and road supervisors of "an act entitled an act to authorize and empower the county of Union in the Territory of Dakota to issue bonds to be used in refunding and paying off the outstanding indebtedness and for the payment of the same." Approved March 9, 1883.

Which was read the first time.

Mr. Dawson introduced—

House Bill No. 206. A bill for an act to amend an act to annex certain territory to the Vermillion City School District and for other purposes,

Which was read the first time.

By unanimous consent the committe on Judiciary returned

House Bill No. 85,

With the recommendation that the bill be passed by the House.

THIRD READING OF HOUSE BILLS.

House Bill No. 94. A bill for an act establishing the Dakota Blind Asylum and providing for the government of the same,

Was read the third time, and

On motion of Mr. Williams
Was indefinitely postponed.

House Bill No. 136. A bill for a Joint Resolution fixing time of final adjournment of the Sixteenth Legislative Assembly,
Was on motion of Mr. Williams
Indefinitely postponed.

Substitute for
House Bill No. 85. A bill for on act authorizing county boards to purchase the Dakota Justice Court Practice, etc.,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz.:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Stevens. Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Clark, Eldredge, Hobart, Larson, McHugh, Oliver, Riddell, Southwick, Swanton.

So the bill passed and its title was agreed to.

Substitute for
House Bill No. 106. A bill for an act providing for a special election in McHenry county,

Read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Roach, Southwick,

Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Hutchinson, Runkle, Ruger.

Absent and not voting:
Messrs. DeWoody, Langan, McHugh, Oliver, Pugh, Riddell, Steele, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 144. A bill for an act to incorporate the city of Scotland,

Was read the first time.

Council Bill No. 145. A bill for an act to amend sections 423 and 424 of the Code of Criminal procedure,

Was read the first time.

Council Bill No. 155. A bill for an act to incorporate the city of Watertown, in Codington county,

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Substitute for
Council Bill No. 11. A bill for an act establishing the North Dakota Hospital for the Insane, and providing for the government of the Dakota Hospital for the Insane,

Read the second time and referred to committee on Charitable Institutions.

Council Bill No. 91. A bill for an act to authorize the county of Foster to issue bonds for the building of a court house and for other purposes,

Read the second time and referred to the committee on Ways and Means.

Substitute for
Council Bill No. 97. A bill for an act to repeal chapter 37, Session Laws of 1881, relating to pay of county commissioners of Stutsman county,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 99. A bill for an act providing for the erection of a court house and jail for the county of Wells, and other purposes, Read the second time and referred to the committee on Ways and Means.

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake county, Dakota,

Read the second time and referred to the committee on Ways and Means.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 51. A bill for an act to repeal chapters 60 and 108 of the Laws of 1883, and for other purposes,

Was read the second time and referred to general orders.

Council Bill No. 79. A bill for an act to amend section 3 of chapter 63 of the Laws of 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 14 votes in the affirmative, and 30 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Dawson, Hobart, Helvig, Larson, Myron, Pickler, Pierce, Smith, Stebbins, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, Johnson, Langan, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Sprague, Scott, Stewart, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. McHugh, Oliver, Ruger, Swanton.

So the bill was lost.

Mr. Miller moved to reconsider the vote by which the bill was lost, and to recommit the bill to the committee.

Mr. Eldredge moved to lay the motion on the table.

The ayes and nays were demanded.

The roll being called on the motion to lay the reconsideration of Council Bill No. 79 on the table, there were 33 votes in the affirmative and 11 votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Martin, McCall, McCumber, Morgan, Parshall, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Scott, Stong, Van Osdel, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Bayard, Dawson, Larson, Miller, Pickler, Pierce, Smith, Stebbins, Stewart, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Myron, McHugh, Oliver, Swanton.

So the motion prevailed.

Council Bill No. 98. A bill for an act to define the boundaries of Wells county,

Was read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hutchinson, McHugh, Oliver, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 126. A bill for an act to repeal section 2 and amend section 12, chapter 104 of the Session Laws of 1881,

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Smith, Sprague, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Stong voted in the negative.

Absent and not voting:

Messrs. Larson, McCumber, Morgan, McHugh, Oliver, Pugh, Ruger, Stevens, Swanton, Stebbins, Scott, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Bayard moved

To reconsider the vote by which the bill passed,

Which motion was lost.

Mr. Pickler gave notice of a motion to reconsider the vote by which the bill passed.

Council Bill No. 53. A bill for an act to repeal section 5, chapter 31, Session Laws of 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 6 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCumber, Morgan, Parshall, Pugh, Riddell, Roach, Ruger, Steele, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Miller, Pickler, Pierce, Southwick, Van Osdel.

Absent and not voting:

Messrs. Coe, Eldredge, McHugh, Oliver, Runkle, Stevens, Swanton.

So the bill passed and its title was agreed to

REPORTS OF STANDING COMMITTEES.

Mr. Riddell, as chairman of the committee on Public Buildings, by unanimous consent, reported as follows:

MR. SPEAKER:

Your committee on Public Buildings, to whom was referred

House Bill No. 203,

Respectfully recommend that it do pass with the following amendment:

Providing that the amount furnished by the general government for that purpose, as provided by law, shall be found insufficient.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, February 14, 1885.

To the Honorable Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 23. A bill an act authorizing the county of Morton to issue bonds for the purpose of procuring ground and erecting thereon a court house and jail for the county of Morton.

GILBERT A. PIERCE,
Governor.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a

Committee of the Whole for the consideration of the general orders,

Mr. Miller in the chair.

When the committee rose, the following report was made by the chairman:

MR. SPEAKER:

Your committee have considered

Council Bill No. 51,

And recommend that the bill be recommitted to the committee on Territorial Affairs.

Also,

Considered

House Bill No. 82,

With the amendments made by the Council, and recommend that the House do not concur in the Council amendments to

House Bill No. 82,

And recommend that the House appoint a committee to confer with a similar committee from the Council on the subject.

Also,

House Bill No. 203,

Authorizing the Secretary of the Territory to purchase fuel, and recommend that the House adopt the amendment proposed by the committee on Public Buildings, and that the bill do pass when so amended.

M. L. MILLER,
Chairman.

Mr. Williams moved

To adopt the report of the committee.

Mr. Martin moved

To amend by excepting the recommendations as to Council Bill No. 51.

The ayes and nays were demanded.

The roll being called there were 20 votes in the affirma- and 25 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Smith, Sprague, Stebbins, Van Osdel, Ward, of Turner.

Those who voted in the negative were:

Messrs. Barnes, Coe, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, McCumber, Morgan, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McHugh, Oliver, Swanton.

So the amendment was lost.

On the adoption of the report of the Committee of the Whole,

The ayes and nays were demanded.

The roll being called, there were 25 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Coe, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. McHugh, Oliver, Swanton.

So the report was adopted.

MOTIONS AND RESOLUTIONS.

By unanimous consent

The House returned to consideration of messages from Council, and

Council Bill No. 207

For a conucurrent resolution referring to junior senator from Indiana, was

On motion of Mr. Pickler,

Read the first and second time and referred to committee on Territorial Affairs.

Mr. Williams moved

To consider the Governor's Message as unfinished business on Monday next.

Which motion prevailed.

Mr. Steele moved

That Charles Simpson, who has acted as Door-keeper since the beginning of the session, be elected as such.

Which motion prevailed.

Mr. Stong, by unanimous consent, moved

That the committee on Elections be discharged from further investigation in the case before them regarding the Assistant Sergeant-at-Arms.

Which was ruled out of order by the Speaker, as in effect the House lost jurisdiction when the original resolution was stricken from the record.

Mr. Coe introduced—

The following resolution:

WHEREAS, It appears to the member from Morton county that certain parties have been offering bribes to members of this legislature and endeavoring to influence the votes of said members in favor of the division of Morton county, insulting said members thereby, and against the dignity of this legislative assembly, therefore, be it

Resolved, That a committee of three be appointed by the Chair, to inquire into the matter and take such action in the case as may to them seem best in bringing the offending parties to justice.

Mr. Byard, by unanimous consent, moved

To reconsider the vote by which

House Bill No. 94

Was indefinitely postponed.

Which motion prevailed,

And the bill was referred to the committee on Charitable and Penal Institutions.

On motion the House

Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTY-FIFTH DAY.

BISMARCK, Monday, February 16, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Helvig, Oliver, Ruger, Swanton and Williams absent at roll call.

Messrs. Oliver, Ruger and Swanton excused on the ground of illness.

Messrs. Helvig and Williams reported subsequently for duty.

Reading of Journal dispensed with and referred to committee on Printing.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 16, 1885,

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 118. A bill for an act to authorize loans of credit in aid of the erection of flouring mills,

Have had the same under consideration, and beg leave to report the same back and recommend that it do not pass.

E. B. DAWSON,
Chairman.

SPECIAL COMMITTEES.

The Speaker appointed

Messrs. Coe, Hutchinson and Dawson as a committee to investigate alleged bribery, and as a

Committee to confer with a similar committee from the Council on

House Bill No 82,

Messrs. Hobart, Myron, Martin.

The Speaker announced his signature to

Council Bill No. 32.

INTRODUCTION OF BILLS.

Mr. Myron introduced—

House Bill No. 207. A bill for an act to prevent the sale of intoxicating liquors within three miles of the Dakota University, in the city of Vermillion, county of Clay, Territory of Dakota, except for medicinal and mechanical purposes,

Which was read the first time.

Mr. Helvig introduced—

House Bill No. 208. A bill for an act to amend section 56, chapter 28 of the Political Code, entitled "revenue,"

Which was read the first time.

Mr. Pickler introduced—

House Bill No. 209. A bill for an act to amend section 759 of the Penal Code, relating to terms of imprisonment,

Which was read the first time.

Mr. Riddell introduced—

House Bill No. 210. A bill for an act to prevent deception in the sales of dairy products,

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 211. A bill for an act to provide for the construction of a court house and jail in the county of McPherson,

Which was read the first time.

Mr. Miller introduced—

House Bill No. 212. A bill for an act to relocate the county seat of Spink county, Dakota,

Which was read the first time.

On motion of Mr. Miller,

The rules were suspended and the bill

Read the second time and referred to the committee on Towns and Cities.

Mr. Hutchinson introduced—

House Bill No. 213. A bill for an act to provide for the taxation of mines,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 143. A bill for an act amending the charter of the city of Mandan,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 155. A bill for an act to incorporate the city of Spearfish,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 167. A bill for an act to authorize the county commissioners of Sargent county to issue bonds to fund the indebtedness of said county,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 171. A bill for an act to locate, establish and endow a Territorial Normal School at Groton, Dakota,

Read the second time and referred to the committee on Appropriations.

House Bill No. 175. A bill for an act amending an act entitled an act to establish and provide for the maintenance of a general and uniform system of common schools and improve their usefulness. Approved March 8th, 1883,

Read the second time and referred to the committee on Education.

House Bill No. 176. A bill for an act authorizing the county commissioners of Roberts county to fund the outstanding indebtedness thereof,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 177. A bill for an act to amend section 10, chapter 20 of the Session Laws of 1883,

Read the second time and referred to the committee on Penal Institutions.

House Bill No. 178. A bill for a Joint Resolution for the appointment of a committee to divide the Territory into counties of uniform size,

Read the second time and referred to the committee on Counties.

House Bill No. 179. A bill for an act to amend section 7, chapter 21, Political Code, in regard to location of county seats,

Read the second time and referred to the committee on Counties.

House Bill No. 180. A bill for an act to provide for the inspection of steam boilers, etc.,

Read the second time and referred to the committee on Judiciary.

House Bill No. 181. A bill for an act to prohibit certain officers from serving process under the general laws of the Territory, and prohibit their being allowed compensation therefor,

Read the second time and referred to the committee on Judiciary.

House Bill No. 182. A bill for an act to amend chapter 99 of the Session Laws of 1883,

Read the second time and referred to the committee on Railroads.

House Bill No. 183. A bill for an act authorizing the board of county commissioners of McPherson county to fund the outstanding indebtedness thereof,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 184. A bill for an act to provide for window shades in the House, not already provided therewith,

Read the second time and referred to the committee on Public Buildings.

House Bill No. 185. A bill for an act for a joint resolution for payment of persons employed about the Capitol building, not otherwise provided for,

Presented by committee on Public Buildings,

Read the second time and referred to the committee on Public Buildings.

House Bill No. 187. A bill for an act creating a board of public examiners for the Territory of Dakota, Read the second time and referred to the committee on Territorial Affairs.

House Bill No. 201. A bill for an act prescribing the time and place for holding the District Court, exercising the powers and jurisdiction of the District and Circuit Courts of the United States within the second judicial district,

Read the second time, and

Mr. Steele moved

To refer to a special committee of five.

Mr. Runkle moved

To refer the bill to its appropriate committee,

Which motion was lost and

The original motion prevailed.

The Speaker appointed

Messrs. Steele, Van Osdel, Pugh, Dawson and Ward of Brule, as such committee.

THIRD READING OF HOUSE BILLS.

House Bill No. 69. A bill for an act to amend section 91 of chapter 21 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called there were 33 votes in the affirmative and 4 votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Hutchinson, Runkle, Scott.

Absent and not voting:

Messrs. Blakemore, DeWoody, Huntington, Langan, McCall, McHugh, Oliver, Ruger, Swanton, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 118. A bill for an act authorizing loans of credit in the erection of flouring mills,

Was read the third time and

On motion of Mr. Pickler

Was indefinitely postponed.

House Bill No. 203. A bill for an act authorizing the Secretary of the Territory to purchase fuel for heating the Capitol building,

Was read the third time, and put upon its final passage.

The roll being called, there were 34 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Martin, McCumber, Morgan, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron, Miller, Parshall, Runkle.

Absent and not voting:

Messrs. Dawson, Huntington, Langan, McCall, McHugh, Oliver, Ruger, Swanton, Van Osdel, Williams.

So the bill passed and its title was agreed to.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 144. A bill for an act for the incorporation of the city of Scotland.

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 145. A bill for an act to amend sections 423 and 424 of the Code of Criminal Procedure.

Read the second time and referred to the committee on Judiciary.

Council Bill No. 155. A bill for an act to incorporate the city of Watertown, in Coddington county.

Read the second time and referred to the committee on Towns and Cities.

By unanimous consent Mr. Miller reported

Council Bill No. 158,

With recommendation that the bill as amended do pass.

Mr. Williams moved

To refer to General Orders.

Which motion was lost.

Mr. Smith moved

To adopt the report of the committee to amend section 28 by striking out the word regulate.

Which motion prevailed.

Mr. Smith moved
To suspend the rules, and that
Council Bill No. 158
Be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called there were 42 votes in the affirmative and 1 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. DeWoody voting in the negative.

Absent and not voting:
Messrs. Oliver, Pickler, Ruger, Southwick, Swanton.

So the bill passed and its title was agreed to.

Mr. Johnson, by unanimous consent, moved that the clerk be instructed to request the Council to return
Council Bill No. 126
For amendment.

Which motion prevailed.

Mr. Steele moved
That when the House adjourn, it adjourn to meet at 2 o'clock p. m. to-morrow.

Mr. Ward, of Turner, moved
To amend by substituting 9 o'clock a. m.
Which motion was lost, and
The original motion prevailed.
Mr. Smith moved
That the committee on Public Buildings be instructed to procure lights for the use of the House.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 16, 1885.

MR. SPEAKER:

I transmit herewith
Council Bill No. 13. A bill for an act establishing In-

Independent School District No. 3, Lake county.

Also,

Council Bill No. 167. A bill for an act authorizing the commissioners of Miner county to fund outstanding indebtedness of said county.

Also,

Council Bill No. 132. A bill for an act authorizing the treasurer of Traill county to transfer certain funds into county fund.

Also,

Council Bill No. 122. A bill for an act to vacate certain portions of the townsite of Oriska.

Also,

Council Bill No. 87. A bill for an act supplementary to chapter 28 of the Political Code, and other purposes.

Also,

Council Bill No. 129. A bill for an act to authorize School District No. 8, Cass county, to issue bonds to build school houses.

Also,

Council Bill No. 75. A bill for an act creating the county of Marshall and defining the boundaries of Day county.

Also,

Council Bill No. 206. A bill for an act to provide for the issue of bonds to aid in the construction of a court house and jail for the county of Walsh.

Also,

Council Bill No. 175. A bill for an act to vacate the townsite of Denton, Sanborn county, Dakota.

Also,

Council Bill No. 173. A bill for an act to vacate Hommer's second addition to the city of Mitchell.

Also,

Council Bill No. 190. A bill for an act providing a new charter for the city of Fargo, Dakota.

Also,

Council Bill No. 133. A bill for an act establishing civil townships in Traill county, Territory of Dakota.

Also,

Council Bill No. 78. A bill for an act to provide funds to pay the deficiency caused by the construction of the University of North Dakota.

Also,

Council Bill No. 112. A bill for an act to amend section 9 of chapter 39 of the Political Code.

Also,

Council Bill No. 19. A bill for an act to provide for the incorporation of street railway companies, and for other purposes.

All of which the Council have passed and to which they respectfully ask your concurrence.

A. W. HOWARD,
Chief Clerk.

Mr. Roach moved

That the House adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTY-SIXTH DAY.

BISMARCK, Tuesday, February 17, 1885.

The House met pursuant to adjournment at 2 o'clock p. m.,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Huntington, Parshall and Pickler absent at roll call.

Messrs. Huntington, Parshall and Pickler reported subsequently.

The reading of the Journal was dispensed with, and referred to the committee on Printing.

PETITIONS AND COMMUNICATIONS.

Mr. Morgan presented the following:

BUXTON, Feb. 9, 1885.

To the Honorable George H. Walsh, Bismarck:

DEAR SIR:

We, the undersigned, earnestly petition you to present a bill to the Honorable Body, the Council now assembled at Bismarck, and secure its passage if possible by both houses of the Legislature. The following described sections of lands in the county of Traill, and Territory of Dakota, and described as follows, viz: Sections 19, 30 and 31, in town 148, range 50 w, and sections 36, 25, 24, 23, 26 and 35, in town 148, north of range 51 w, into an independent school district.

And you will greatly oblige your petitioners.

Which was referred to committee on Education.

Mr. Ward, of Turner, presented the following:

To the Honorable, the Legislative Body of the Territory of Dakota:

We, the undersigned would respectfully petition your honorable body, and remonstrate against the formation of the proposed Independent District of Bridgewater out of the portions of townships 101–56 and 101–55, as set out in the accompanying diagram. As in the opinion of your petitioners the formation of the same would work serious detriment to said district, leaving the balance of said district in a very awkward shape, and because of the natural formation of the territory difficult to divide into school districts, or to supply with the proper facilities for schools, as will more fully appear by accompanying diagram.

Wherefore your petitioners would respectfully remonstrate against the proposed formation of said Independent District of Bridgewater.

And your petitioners will ever pray, etc.

Which was referred to committee on Education.

Mr. Van Osdel presented the following:

To the Honorable, the General Assembly of the Territory of Dakota:

The petition of the undersigned citizens of the county of McLean respectfully sets forth that they have learned that a bill is now before the two Houses of Assembly for the purpose of taking two townships from Burleigh county and annex the same to the county of McLean, and believing such measure to be unnecessary and injurious and against the wish of the people of this county, they respectfully, but energetically, remonstrate against its passage by your body.

And your petitioners, as in duty bound, will ever pray, etc.

To the Honorable Body of the Legislature of Dakota Territory:

We, the undersigned, citizens of Burleigh county, protest herewith against being adjoined to McLean county, for following reasons, to-wit:

We took our government land here, knowing Burleigh county to be in a good financial condition, with taxes decreasing from year to year.

Here against McLean county is a young and already much indebted county, which debt, by the actual management, is increasing continuously.

2. Burleigh county is managed by men who care for the interest and welfare of their settlers, while McLean county was up to now entirely managed according to the private interests of a certain John Satterlund and not to that of the settlers.

3. We came in this country to become citizens of a free country, willing to gain us a free home with our hand work under the protection of a free government, and do not wish to be made tools for the low and selfish manipulations of one man.

Several of the undersigned have already signed a contrary declaraction; but herewith recall their former signing and declare it as void and unguilty for the following reasons, to-wit:

At the time the former petition in favor of our annexation to McLean county was handed to us for our signature, we were not able to understand the sense and consequences of this writing, as we are not yet master of the American language and not able to read the same.

Therefore, we declare herewith in our language, our intentions and protests against being annexed to McLean county, and will, as in duty bound, ever pray, etc.

February 10, 1885.

Which was referred to the committee on Counties.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 17, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 106,
Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Counties, to whom was referred
House Bill No. 78,
Beg leave to report that the same be made the special order on some future day.

MARK WARD,
Chairman.

Mr. DeWoody moved
That it be made the special order for Saturday next.

Mr. Blakemore moved
That it be referred to special committee of members from the Black Hills.

Which motion prevailed.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred
House Bill No. 155. A bill for an act to incorporate the city of Spearfish,
Have had the same under consideration, and report the same back, with the recommendation that the bill do pass.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee on Counties, to whom was referred
House Bill No. 159,
Beg leave to report the following amendment:

That all Sof ec. 5 of said bill, relating to the repeal of the Herd Law in the counties described, be stricken out, and that the bill as thus amended do pass.

MARK WARD,
Chairman.

Mr. Coe moved
The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 165. A bill for an act to legalize the acts of J. B. Hall, a notary public,

And beg leave to report favorably, and recommend that it be passed by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 33. A bill for an act to amend section 73 of chapter 28 of the Political Code.

And beg leave to report unfavorably, and recommend that its further consideration be indefinitely postponed.

E. W. MARTIN,
Chairman.

Mr. Pickler moved

The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 40. A bill for an act repealing chapters 61 and 62 of the Session Laws of 1883, approved respectively March 6, 1883, and February 27, 1883.

And beg leave to report unfavorably on same, and recommend that its further consideration be indefinitely postponed.

E. W. MARTIN,
Chairman.

Mr. Blakemore moved

The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 50. A bill for an act to amend chapter 38 of the Political Code by adding section 20.

And beg leave to report unfavorably and recommend that its further consideration be indefinitely postponed.

EBEN W. MARTIN,
Chairman.

Mr. Blakemore moved

The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 63. A bill for an act to abolish the boards of county commissioners and establish in the place thereof a board of county supervisors.

And beg leave to report unfavorably and recommend that its further consideration be indefinitely postponed.

EBEN W. MARTIN,
Chairman.

Mr. Swanton moved

The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 75. A bill for an act making taxes a perpetual lien upon personal property.

And beg leave to report unfavorably and recommend that it lay on the table.

E. W. MARTIN,
Chairman.

Mr. Blakemore moved

The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 149. A bill for an act to amend section 4, chapter 6 of the Political Code,

And beg leave to report unfavorably and recommend that it lay on the table.

E. W. MARTIN,
Chairman.

Mr. Pierce moved

The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 164. A bill for an act to amend chapter 28 of the Political Code.

Also,

Section 648, chapter 4 of the Civil Code, And recommend that it be committed to the standing committee on Ways and Means.

E. W. MARTIM,
Chairman.

By unanimous consent
The report was accepted and adopted, and
The bill referred to the committee on Ways and Means.

MR. SPEAKER:

Your committee on Judiciary have considered
House Bill No. 173. A bill for an act regulating practice in the District Court,
And beg leave to report unfavorably, and recommend that its further consideration be indefinitely postponed.

E. W. MARTIN,
Chairman.

Mr. Coe moved
The acceptance and adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered
House Bill No. 180. A bill for an act to provide for the inspection of steam boilers, etc.,
And recommend that it be referred to the committee on Manufactures.

E. W. MARTIN,
Chairman.

Mr. Pickler moved
That the report of the committee be accepted and adopted.
Which motion prevailed,
And the bill was referred to the committee on Manufactures.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I transmit herewith
Council Bill No. 224. A bill for an act to amend an act to provide for building a court house and jail in Hamlin county.
Also,
Substitute for
Council Bills Nos. 149 and 150. A bill for an act to amend the charter of the city of Grafton.

Also,

Council Bill No. 111. A bill for an act to amend section 5, chapter 13 of the Laws of 1879.

Also,

Council Bill No. 170. A bill for an act to provide for funds to erect and furnish a main building for juvenile offenders, at Plankinton, Dakota.

Also,

Council Bill No. 140. A bill for an act to provide for the organization of new counties.

Also,

Council Bill No. 165. A bill for an act to amend section 656 of the Civil Code.

Also,

Council Bill No. 108. A bill for an act to amend section 3 of the Political Code.

Also,

Council Bill No. 159. A bill for an act to amend section 82 of article 7 of act to incorporate the city of Grand Forks, Dakota.

Also,

Council Bill No. 202. A bill for an act granting a charter to the city of Columbia.

Also,

Council Bill No. 185. A bill for an act to incorporate the city of Madison, Dakota.

Which the Council have passed, and the concurrence of the House is respectfully requested therein.

Also,

I have the honor to transmit herewith

House Bill No. 91. A bill for an act to amend chapter 22 of Political Code.

Also,

House Bill No. 89. A bill for an act to amend section 1, chapter 62 of the Special Laws of 1881.

Also,

House Bill No. 45. A bill for an act to amend section 47, chapter 27 of Political Code.

Also,

House Bill No. 88. A bill for an act relating to proof of the existence of corporations in civil actions.

Also,

House Bill No. 84. A bill for an act to vacate the townsite of Belmont, Traill county, Dakota.

Also,

House Bill No. 61. A bill for an act fixing the mileage and per diem of county commissioners of Custer and Pennington counties.

Also,

House Bill No. 56. A bill for an act authorizing the county commissioners of Richland county to issue bonds for paying certain indebtedness thereof.

Also,

House Bill No. 96. A bill for an act authorizing the county commissioners of Ramsey county to issue bonds for roads and bridges.

Also,

House Bill No. 109. A bill for an act to establish a portion of the school township of Denver, Kingsbury county; also a portion of the school township of Winsor and Bangor, Brookings county, as an independent school district, etc.

Also,

House Bill No. 38. A bill for an act to incorporate the village of Webster.

All of which the Council have passed without amendments.

A. W. HOWARD,
Chief Clerk Council.

REPORTS OF SPECIAL COMMITTEES.

BISMARCK, February 17, 1885.

MR. SPEAKER:

The special committee to whom was referred

House Bill No. 78. A bill for an act in relation to Lawrence county division and the formation of Meade county,

Report recommending that the bill be rejected and that it be made a special order for Thursday afternoon, February 19, 1885, at 2:30 o'clock.

H. M. GREGG,
Chairman.
A. L. SPRAGUE,
E. W. MARTIN.

MINORITY REPORT.

Mr. McCall presented the following minority report:

MR. SPEAKER:

The special committee to whom was referred

House Bill No. 78. A bill for an act in relation to Lawrence county division and the formation of Meade county,

Report recommending that the bill as amended do pass and that it be made a special order for Thursday afternoon, February 19, 1885, at 2:30 o'clock.

ALEX. MCCALL.

GENERAL ORDERS.

The following bills were referred to the general orders:

House Bill No. 74, Council Bill No. 97, House Bills Nos. 99, 156, 104, 170.

And,

House Bill No. 78.

Together with the majority and minority reports thereon was made the special order for February 19, 1885, at 2:30 o'clock p. m.

Mr. Pierce moved

To suspend the rules and that

Council Bill No. 224

Be read the first, second and third times and put upon its final passage.

Which motion prevailed.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Hobart, Morgan, Pugh, Scott, Williams.

So the bill passed and its title was agreed to.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 119. A bill for an act to amend sections 389, 390 and 416, of the Civil Code,

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 87. A bill for an act to create a new sub-division of the Sixth Judicial District,

And beg leave to report favorably, and recommend that it be considered so and passed by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 146. A bill for an act to amend section 569 of the Civil Code.

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 137. A bill for an act to amend section 20 of chapter 39 of the Political Code, in relation to juror fees in justice court,

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 138,

Have examined the same and respectfully recommend that the same do pass.

DONALD STEWART,
Chairman.

Mr. Gregg moved that

House Bill No. 155. A bill for an act to incorporate Spearfish,

Be read the third time and put upon its final passage.

Which motion prevailed.

And the bill read the third time and put upon its final passage.

The roll being called there were 47 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Mr. Hobart.

So the bill passed and its title was agreed to.

Mr. Pickler moved that
Council Bill No. 91, with a substitute therefor, be recommitted to the committee on Ways and Means.

Which motion prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 17, 1885.

MR. SPEAKER:

In compliance with the request of the House on the 16th inst., I return herewith for your further consideration
Council Bill No. 126. A bill for an act to repeal section 2 and amend section 12 of chapter 104 of the Session Laws of 1881.

I have also to inform you that the Council have this day receded from the Council amendment to
House Bill No. 82,
On which amendments the House has asked for Conference committee.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

Mr. Blakemore moved
A reconsideration of the vote by which
Council Bill No. 126
Was passed.

Which motion prevailed.

Mr. Johnson, by unanimous consent, amended the bill as follows: "Provided, however, the present directors shall continue to serve until their successors, under this act, are approved and qualify.

Which amendment was adopted.

The rules were suspended, the bill read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Hobart, Morgan, Oliver, Runkle, Scott, Stong, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

INTRODUCTION OF BILLS.

Mr. Barnes introduced—

House Bill No. 214. A bill for an act for a Joint Resolution to provide for a joint committee to draft a bill for submission of certain Territorial appropriations to a vote of the people.

Which was read the first time.

Mr. Clark introduced—

House Bill No. 215. A bill for an act authorizing the board of county commissioners of Aurora county to fund the outstanding indebtedness thereof.

Which was read the first time.

Mr. Rice introduced—

House Bill No. 216. A bill for an act to amend section 67 of the Civil Code.

Which was read the first time.

Also,

House Bill No. 217. A bill for an act entitled an act to repeal section 760 of the Criminal Code.

Which was read the first time.

Also,

House Bill No. 218. A bill for an act defining the boundaries of the Fourth Judicial District, and fixing the time for holding court therein.

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 219. A bill for an act supplemental to an act to legalize a certain ordinance of the town of Wahpeton, providing for the establishment of water works, and to legalize the issue of certain bonds thereunto.

Which was read the first time, and

The rules suspended,

The bill read the second and third times and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Hobart, Morgan, Scott, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. McCumber introduced—

House Bill No. 220. A bill for an act to provide for the taxation of exprsss companies.

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 221. A bill for an act to authorize the trustees of the city of Groton, county of Brown, to extend the time for the collection of taxes for the year 1884.

Which was read the first time.

Mr. McCumber (by request) introduced—

House Bill No. 222. A bill for an act for a Joint Resolution asking for the opening of the Wahpeton and Sisseton Indian reservation.

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 223. A bill for an act providing for struck juries.

Which was read the first time.

Mr. Stevens (by request) introduced—

House Bill No. 224. A bill for an act to authorize the Lenham Elevator and Lumber Company, a corporation, to change its name.

Which was read the first time.

Mr. Martin introduced—

House Bill No. 225. A bill for an act to amend paragraph 1 of section 1,970 of the Civil Code.

Which was read the first time.

Also,

House Bill No. 226. A bill for an act to amend a certain section of chapter 39 of the Political Code.

Which was read the first time.

Mr. Southwick introduced—

House Bill No. 227. A bill for an act providing a method for changing the names of towns and villages.

Which was read the first time.

Mr. McCumber introduced—

House Bill No. 228. A bill for an act providing for a charter for the city of Wahpeton.

Which was read the first time.

On motion of Mr. McCumber

The rules were suspended, and

The bill read the second time and referred to the committee on Towns and Cities.

Mr. Ward, of Turner, introduced—

House Bill No. 229. A bill for an act to amend an act to incorporate the village of Parker, Turner county, Dakota, and define its boundaries,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 186. A bill for an act to provide for the erection of a court house and jail for the county of Stark, and for other purposes,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 188. A bill for an act to amend section 72 of an act entitled an act incorporating the city of Deadwood,

Read the second time and referred to the committee on Town and Cities.

House Bill No. 189. A bill for an act to amend subdivision 1st, section 12, of an act entitled an act incorporating the city of Deadwood,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 190. A bill for an act to repeal subdivision second, section 12 of an act entitled an act incorporating the city of Deadwood,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 191. A bill for an act amending section 104, Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 195. A bill for an act to vacate portions of the townsite of Springfield, Bon Homme county, and for other purposes,

Read the second time and referred to the committee on Towns and Cities.

THIRD READING OF HOUSE BILLS.

House Bill No. 87. A bill for an act to create a new sub-division of the sixth judicial district,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, Hobart, Morgan, Stevens, Stewart.

So the bill passed and its title was agreed to.

House Bill No. 119. A bill for an act amending sections 389, 390 and 416 of the Civil Code,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore. Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, Hobart, Morgan, Oliver, Stevens, Smith, Stewart.

So the bill passed and its title was agreed to.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of the special order of the day, being

House Bill No. 21,

Subject, exemptions;

With Mr. Williams in the chair.

When the committee rose, the following report was made:

MR. SPEAKER:

Your Committee of the Whole, to whom was referred for consideration

House Bill No. 21. A bill for an act to amend certain sections of part 2, chapter 13 of the Code of Civil Procedure, subject, exemptions,

Beg leave to report that section 1 be amended so as to read "fifteen hundred," instead of "seven hundred and fifty."

That sections 2, 3, 4, 5 and 6 as they now read in said bill be adopted.

That the Governor's message be referred to a special committee consisting of five to be appointed by the Speaker.

E. A. WILLIAMS,
Chairman.

Mr. Martin moved

To adopt the report of the committee except as to section 1, and that $1,000 be inserted in lieu of $1,500.

Call of the House demanded, and

On motion of Mr. Martin,

Further proceedings under the call were dispensed with.

Mr. Oliver moved

To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 23 votes in the affirmative, and 22 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Dawson, DeWoody, Eldredge, Huntington, Huston, Helvig, Larson, Langan, Myron, McCumber, Morgan, Oliver, Parshall, Pierce, Pugh, Ruger, Steele, Stevens, Smith, Stebbins, Stong, Van Osdel.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Clark, Coe, Gregg, Hutchinson, Johnson, Miller, Martin, Pickler, Runkle, Riddell, Roach, Southwick, Swanton, Sprague, Scott, Stewart, Ward of Turner, Ward of Brule, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Hobart, McCall, McHugh.

So the motion was adopted.

Mr. Martin moved

To adopt the report of the committee.

Mr. Blakemore moved

That the bill be recommitted to the general orders and considered tomorrow.

Mr. Williams moved

That the further consideration of the bill and report be indefinitely postponed.

The ayes and nays were demanded.

The roll being called, there were 11 votes in the affirmative, and 34 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Bayard, Dawson, Huston, Helvig, Larson, Myron, Parshall, Ruger, Stevens, Stong, Williams.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Hutchinson, Johnson, Langan, Miller, Martin, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hobart, McCall, McHugh.

So the motion to indefinitely postpone was lost.

Mr. Williams moved the previous question.

Which motion prevailed.

And the report of the committee was adopted.

EXECUTIVE COMMUNICATION.

EXECUTIVE OFFICE, BISMARCK, February 17, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 32. A bill for an act to authorize the county commissioners of Day and Hyde counties to fund the outstanding indebtedness thereof.

Also,

House Bill No. 54. A bill for an act legalizing the incorporation of the village of Valley Springs, and other acts.

GILBERT A. PIERCE,
Governor.

The Speaker announced his signature to

House Bill No. 106.

Also,

The appointment of T. M. Hitt as stenographer of the House.

THIRD READING OF HOUSE BILLS.

House Bill No. 21. Subject, Exemptions,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Coe, Dawson, DeWoody, Gregg, Huntington, Helvig, Johnson, Langan, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Ruger, Southwick, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Clark, Eldredge, Huston, Hutchinson, Larson, Myron, Parshall, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Scott, Van Osdel, Williams.

Absent and not voting:

Messrs. Hobart and McHugh.

Messrs. Blakemore, DeWoody and McCumber explaining their votes.

So the bill passed and its title was agreed to.

House Bill No. 137. A bill for an act to amend section 20 of chapter 39 of the Political Code in relation to jurors' fees in justice court.

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hobart, McHugh, Ruger, Williams.

So the bill passed and its title was agreed to.

House Bill No. 138. A bill for an act providing for the appointment of sheep inspectors,

Which was read the third time, and

On motion of Mr. Steele

Was referred to general orders.

House Bill No. 146. A bill for an act to amend section 569 of the Civil Code.

Was read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Hobart, McHugh, Parshall, Williams.

So the bill passed and its title was agreed to.

House Bill No. 159. A bill for an act to define the boundaries of Billings, Villard, Dunn and Wallace counties.

Was read the third time.

The bill,
On motion of Mr. Van Osdel,
Was referred to general orders.

House Bill No. 161. A bill for an act to authorize the commissioners to fund the debt of Duel county,

Was read the third time and put upon its final passage.

The roll being called there were 42 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Oliver voting in the negative.

Absent and not voting:

Messrs. Barnes, Hobart, McHugh, Pugh, Smith.

So the bill passed and its title was agreed to.

House Bill No. 165. A bill for an act to legalize the acts of J. B. Hall, a notary public.

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson,

DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Langan, Oliver, Ruger, Van Osdel.

Absent and not voting:

Messrs. Hobart, McHugh, Stebbins.

So the bill passed and its title was agreed to.

MESSAGE FROM THE COUNCIL.

BISMARCK, Feb. 16, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 79. A bill for an act to amend section 468 of Code of Civil Procedure, which the Council has amended by striking out all of section 1 after the word "oath," where it occurs in said section.

Also,

House Bill No. 116. A bill for an act to amend section 5 of chapter 33 of the Special Laws of 1883, for which the Council has adopted a substitute as per copy herewith.

Also,

House Bill No. 72. A bill for an act providing for the construction of a court house in Edmunds county, Dakota Territory, to which the Council has made sundry amendments as attached to the bill.

To all of which amendments your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

Mr. DeWoody moved

That the House concur in the Council amendments to House Bill No. 72.

Which motion prevailed.

Mr. Barnes moved

To concur in the Council amendments to

House Bill No. 79.

Which motion prevailed.

Mr. Myron moved

To adopt the substitute proposed by the Council for House Bill No. 116,

Upon the adoption of which

The roll was called, and there were 31 votes in the affirmative, and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, Eldredge, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Stebbins, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Blakemore, DeWoody, Gregg, Huntington, Huston, Hutchinson, Johnson, McCumber, Oliver, Pugh, Steele, Scott, Stewart, Mr. Speaker.

Absent and not voting:

Messrs. Hobart, McHugh, Southwick.

So the substitute was adopted.

Mr. Johnson moved

That when the House adjourn, it adjourn to meet at 2 o'clock p. m. to-morrow.

Which motion prevailed.

Mr. Blakemore moved

That the order of business hereafter be as follows:

Prayer.

Calling the Roll.

Reading the Journal.

Presentation of Petitions and Communications.

Reports of Standing Committees.

Reports of Select Committees.

Motions and Resolutions.

Introduction of Bills, Joint Resolutions and Memorials.

Second Reading of House Bills, etc.

Third Reading of House Bills, etc.

Consideration of Messages from the Council.

First Reading of Council Bills, Joint Resolutions and Memorials.

Second Reading of same.

Third Reading of same.

Consideration of General Orders.

Unfinished business.

Mr. Williams moved

As a substitute to have one hundred copies of the rules printed,

Which was accepted by Mr. Blakemore, and

On motion of Mr. Pickler

The House

Adjourned.

C. M. REED,
Chief Clerk House.

THIRTY-SEVENTH DAY.

BISMARCK, Wednesday, Feb. 18, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

All members present.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

Mr. Williams presented the following:

WATERTOWN, D. T., Feb. 16, 1885.

Hon. E. A. Williams, Bismarck, D. T.:

DEAR SIR:

Find enclosed a remonstrance against cutting down the Exemption Law. See that they are presented as coming from Codington county. Other remonstrances will reach you from other counties also. I will forward you another from this county as soon as they reach me. The farmers are almost unanimous against a reduction, which means work in the interest of old judgments and machinery notes.

Two papers out of three published in Watertown are against reduction. If the bill has passed the House, will you see this presented to the Council.

Yours truly,
A. D. CHASE.

To the Legislature, Bismarck, D. T.:

The undersigned, citizens of Codington county, Dakota, would respectfully remonstrate against the reduction of the exemption law.

Referred to committee on Judiciary.

Mr. McCumber presented the following:

To the Members of the Sixteenth Legislative Assembly of the Territory of Dakota:

The undersigned, of the county of Richland, being desirous of securing means of mutual insurance among the farming community of the Territory of Dakota, thereby supplying the means of redress in case of loss of property insured, and also encouraging the growth and development of home institutions by retaining the money in our own community that would otherwise be paid to foreign companies, do hereby petition your honorable body to enact a law for the organization of farm insurance companies similar to that now in force in the state of Minnesota, under sections 388 to 354 inclusive of chapter 34 of the General Statutes of Minnesota.

Referred to committee on Insurance.

Mr. Pickler presented the following:

TERRITORY OF DAKOTA, CLARK COUNTY.

We, the undersigned residents and voters of Clark county, Dakota, earnestly petition the members of our Legislature to pass a law making it a misdemeanor for the occupants of deeded lands in this Territory to permit wild mustard to grow upon such lands after notice given to destroy the same as shall be provided in such bill.

Referred to committee on Agriculture.

Mr. Barnes asked the privilege of having certain papers addressed to him referred to committee on Elections.

Which was granted.

Mr. Williams then moved

To suspend the rules and consider the Governor's message.

Which motion prevailed.

The Speaker then assigned the following subjects to the respective committees, viz:

Territorial Auditor to committee on Territorial Affairs.

Common schools to committee on Education.

University of Dakota to committee on Territorial Affairs.

University of North Dakota to committee on Territorial Affairs.

Agricultural college to committee on Territorial Affairs.

Normal school to committee on Education.

Deaf and Dumb School to committee on Charitable Institutions.

Territorial Penitentiaries to committee on Penal Institutions.

Asylum to committee on Charitable Institutions.

Territorial Boards to committee on Territorial Affairs.

Territorial Libraries to committee on Territorial Affairs.

Public lands within railroad limits to committee on Public Lands.

Examination of private banks to committee on Banks and Banking.

School of Mines to committee on Appropriations.

Amending incorporation laws to committee on Judiciary.

Insurance laws to committee on Insurance.

Capitol building to committee on Public Buildings.

Pardons to committee on Judiciary.

New Orleans Exposition to committee on Territorial Affairs.

Grain grading and railways to committee on Railroads.

Immigration to committee on Immigration.

Organizing counties to committee on Counties.

Spink county to committee on Military Affairs.

Roberts county to committee on Military Affairs.

Militia to committee on Military Affairs.

Admission and division to committee on Federal Relations.

Economy to committee on Appropriations.

COMMITTEE OF THE WHOLE.

Mr. Williams moved
To suspend the rules and proceed to the consideration of general orders.

Which motion prevailed.

And the House resolved itself into a Committee of the Whole,
With Mr. Williams in the chair.

When the committee rose, the following report was made:

MR. SPEAKER:

Your committee of the Whole have had under consideration
House Bill No. 74. A bill for an act authorizing the county treasurer to bid off real estate in the name of the county, where there are no other bidders, and to provide for the transfer or redemption thereof,

And recommend that the bill as amended by the committee on Judiciary, together with the amendment to strike out the word "just" from second line of section 4, be passed by the House.

Also,
Council Bill No. 97. A bill for an act relating to county commissioners of Stutsman county,
And recommend that the bill as amended by the committee on Judiciary do pass.

Also,
House Bill No. 99
And recommend that the bill be referred to the gentleman from Brown for further consideration.

Also,
House Bill No. 104. A bill for an act exempting farm improvements and farming implements from taxation,
And recommend that the bill be recommitted to its appropriate committee for further consideration and report.
Also,
House Bill No. 138. A bill for an act relating to the appointment of sheep inspectors,

And recommend that the word "shall" be stricken from the first line of section 1, after county commissioners, and the word "may" substituted in lieu thereof,

And recommend the passage of the bill as amended.

Also,

House Bill No. 156. A bill for an act defining the crime of forgery, etc.,

And recommend that the bill as amended by the committee on Judiciary do pass.

Also,

House Bill No. 159. A bill for an act defining the boundaries of Billings, Villard, Dunn and Wallace counties,

And recommend that the bill do pass as amended by the committee on Counties.

Also,

House Bill No. 70,

And recommend that the bill do pass as amended by the Ways and Means committee.

E. A. WILLIAMS,
Chairman.

Mr. Van Osdel moved

That the report of the committee be accepted and adopted except so far as relates to

House Bill No. 159.

Mr. Coe moved

To amend by accepting and adopting the report of the committee as a whole.

Which motion prevailed and the report adopted.

The Speaker announced his signature to House Bills Nos. 79 and 96, and to Council Bills Nos. 53, 76, 88, 126 and 224.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Education has had under consideration

House Bill No. 53

And beg leave to report and recommend that the bill be laid on the table.

Also,

House Bill No. 142

And recommend that it do pass.

Also,

Council Bill No. 60,

And recommend that it do pass.

Also,

Council Bill No. 117,

And have carefully considered and examined the same and recommend that the bill do pass.

J. M. BAYARD,
Chairman.

BISMARCK, February 18, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment beg leave to report that we have this 18th day of February, 1885, at 4:30 o'clock p. m., presented

House Bills Nos. 79 and 96

To His Excellency the Governor for his signature and approval.

Also,

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 79

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Your committee on Engrossment and Enrollment beg leave to report that we have this 18th day of February, 1885, at 3:30 o'clock p. m., presented

House Bill No. 106

To His Excellency the Governor for his signature and approval.

Also,

House Bill No. 96,

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 70. A bill for an act to amend section 13 of chapter 39 of the Political Code, and section 1 of chapter 102 of the Session Laws of 1883,

And recommend that the said bill be rejected by this House.

E. W. MARTIM,
Chairman.

MR. SPEAKER:

Your committee on Public Buildings to whom was referred
House Bill No. 184,
Recommend that it do pass.

W. H. RIDDELL,
Chairman.

INTRODUCTION OF BILLS.

Mr. Runkle introduced—

House Bill No. 230. A bill for an act to incorporate the town of Bridgewater, county of McCook, Territory of Dakota.

Which was read the first time.

Mr. Stewart (by request) introduced—

House Bill No. 231. A bill for an act entitled an act for the organization of Library Institute in the Territory of Dakota.

Which was read the first time.

Also,

House Bill No. 232. A bill for an act for mutual local insurance.

Which was read the first time.

Mr. Clark introduced—

House Bill No. 233. A bill for an act to change the name of the township of Logan, (103-64) Aurora county.

Which was read the first time.

Also,

House Bill No. 234. A bill for an act to fund the indebtedness of the towns of Plankinton, Aurora county.

Which was read the first time.

Mr. Dawson introduced—

House Bill No. 235. A bill for an act amending chapter 75 of the Session Laws of 1883, in relation to the drainage of land.

Which was read the first time.

Mr. Coe introduced—

House Bill No. 236. A bill for an act to amend section 399 of the Code of Civil Procedure

Which was read the first time.

Mr. Pickler introduced—

House Bill No. 237. A bill for an act to amend chap- 44, Laws of 1883.

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 238. A bill for an act to secure the public health and safety against unwholesome provisions.

Which was read the first time.

Mr. McCumber, by request, introduced—

House Bill No. 239. A bill for an act providing for commissioners for organized counties of this Territory.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 192. A bill for an act authorizing the county of Fall River to construct a county bridge over the Cheyenne river, and to issue bonds therefor,

Was read the second time.

Mr. Martin moved

To suspend the rules, and that the bill be read the second and third times by its title and put upon its final passage.

Which motion prevailed.

The roll being called, there were 40 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCumber, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. McCall, McHugh.

Absent and not voting:

Messrs. Langan, Miller, Oliver, Pugh, Smith, Williams.

So the bill passed and its title was agreed to.

House Bill No. 196. A bill for an act to amend the charter of the city of Vermillion,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 197. A bill for an act to regulate the sale of intoxicating liquors,

Read the second time and referred to the committee on Judiciary.

House Bill No. 198. A bill for an act to amend section 414, Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 193. A bill for an act prescribing the mode for listing, assessing, the levy and collection of taxes, and for other purposes,

Read the second time and referred to a committee consisting of Messrs. Smith, Blakemore, Langan, Martin and Roach.

House Bill No. 200. A bill for an act to define the boundary between Hyde and Hand counties,

Read the second time, and

On motion of Mr. Blakemore,

Was laid on the table.

House Bill No. 204. A bill for an act regulating the term of office of auditor in the counties of Cass, Grand Forks, Traill and Richland,

Read the second time and referred to the committee Judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 53. A bill for an act to revive and reenact chapter 4 of the Session Laws of 1883, entitled an act to locate and establish the North Dakota Agricultural College,

Was read the third time, and

On motion of Mr. Blakemore,

The bill was laid on the table.

House Bill No. 70. A bill for an act to amend section 13 of chapter 39 of the Political Code, and section 1 of chapter 102 of the Session Laws of 1883,

Was read the third time, and

On motion of Mr. Pickler,

The bill was laid on the table.

House Bill No. 142. A bill for an act to establish Independent School District No. 1, Douglass county, Dakota, and for other purposes,

Was read the third time, and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Stevens, Swanton.

So the bill passed and its title was agreed to.

House Bill No. 184. A bill for an act to provide shades for windows in the House not already provided therewith,

Was read the third time.

And placed on its final passage.

Those who voted in the affirmative were:

The roll being called there were 31 votes in the affirmative and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huston, Hutchinson, Johnson, Langan, Martin, McCall, McCumber, McHugh, Oliver, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Dawson, DeWoody, Huntington, Hobart, Helvig, Larson, Myron, Miller, Parshall, Pickler, Runkle, Smith, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Morgan and Swanton.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS.

The following invitation was presented to the House:

To the Honorable Members of the Council and House of Representatives of the Sixteenth Legislative Assembly and the Officers thereof:

The Mayor and City Council of the city of Fargo, respectfully request your attendance at a banquet tendered to your honorable bodies by said city to be given on Saturday of this week. Very Respectfully,

D. H. TWOMEY.

February 18th, 1885.

And on motion of Mr. Martin

The invitation was accepted.

The following bills were referred to General Orders:

House Bills Nos. 124, 167, 105 and 86.

Council Bill No. 144,

House Bill No. 228.

Mr. Oliver moved

That the House adjourn to meet to-morrow at 2 o'clock p. m.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTY-EIGHTH DAY.

BISMARCK, Thursday, February 19, 1885.

The House met pursuant to adjournment at 2 o'clock p. m.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Eldredge, Langan, Pierce, Ruger, Steele absent at roll call.

Messrs. Langan, Pierce and Ruger reported subsequently and Messrs. Eldredge and Steele were excused on account of sickness.

The reading of the Journal was dispensed with, and referred to the committee on Printing.

PETITIONS AND COMMUNICATIONS.

Mr. Ward, of Turner, introduced the following:

WHEREAS, The office of the Probate Judge of Turner county, Dakota, with all its contents, including all Probate Court records and all papers pertaining thereto were, on the 28th day of January, 1885, entirely destroyed by fire,

Therefore, We, the board of county commissioners of said county, in special meeting for the purpose of taking such action in the premises as may be expedient, this 13th day of February, 1885, would respectfully petition the honorable Legislature of Dakota to pass such an enabling act or law in regard thereto as it may deem right and proper, with a view to establishing as far as possible said records, or assisting this board in so doing.

S. N. MONK,
Chairman.

ATTEST:
J. J. MORE, Clerk.

And requested that the same be referred to the committee on Judiciary to prepare a bill covering the ground.

And the petition was so referred.

The Speaker announced his signature to
Council Bills Nos. 98 and 147.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

A minority of your committee on Judiciary, to whom was referred
House Bill No. 86,
Beg leave to recommend that the same do not pass for the following reasons:

1. Every citizen, under our present laws, is entitled to claim as exempt property (including judgments) to the amount of $1,500, over and above his absolute exemption.

2. Under the present mode of appraisal that fifteen hundred dollars worth of property will represent in real value property to the amount of about three thousand dollars.

3. As the law now stands, a debtor may claim judgment in his favor as exempt of an appraised value of fifteen hundred dollars.

4. Under the proposed law, he would not only be entitled to hold the property to the amount of fifteen hundred dollars, but also a further and additional absolute ex-

emption to an unlimited amount for damages for detention to or injury of said property.

5. Under the proposed law, not only would he be entiled to hold as exempt judgments to any amount, but might also in addition therto hold as exempt future acquired property to the value of fifteed hundred dollars, without subjecting such judgments or any part thereof to the satisfaction of honest debts.

6. For the foregoing reasons we consider such a law must be unjust, and believe that gross abuses of justice would creep in under its sanction, and that in its effect it would be a protection to fraud and not a guard of just rights.

Respectfully Submitted,
E. W. MARTIN,
A. L. SPRAGUE,
P. J. MCCUMBER.

MR. SPEAKER:

Your committee on Public Lands have considered
House Bill No. 126,
And report the same back and recommend that it do pass.

E. A. WILLIAMS,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 167. A bill for an act to authorize the county commissioners of Sargent county, Dakota Territory, to issue bonds to fund the debt of said county,

Have had the same under consideration, and report it back with amendments, and recommend it do pass as amended.

Also,

House Bill No. 124. A bill for an act to authorize the county commissioners of Dickey county to fund the outstanding indebtedness thereof,

Have had the same under consideration, and report it back amended, and recommend that it do pass as amended.

Also,

House Bill No. 97. A bill for an act authorizing the county commissioners of Ramsey county to fund the outstanding indebtedness of said county, Have had the same under consideration, and report it back with amendments, and recommend that the bill pass as amended.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 86. A bill for an act to exempt certain judgments,

And would respectfully report in favor of said bill, and recommend that it be considered favorably and passed by this Honse.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 105. A bill for an act establishing a fence law for Fall River and six other counties, and other purposes,

Have carefully considered the same, and recommend the substitution and passage of the substitute bill herewith transmitted.

DONALD STEWART,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 132,

Beg leave to report the same back as correctly engrossed.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Territorial Affairs, to whom was referred

House Bill No. 187. A bill for an act creating a Board of Public Examiners for the Territory of Dakota,

Have had the same under consideration, and do recommend that the bill be amended by striking out the word "ten," where it occurs in the sixth line of section 3, and insert the word "five" in the place thereof, and that the bill as so amended do pass.

S. E. STEBBINS,
Chairman.

Mr. Miller, chairman committee on Cities and Towns, presented a majority report, and Mr. Hutchinson presented a minority report on

House Bill No. 212.

Mr. Miller moved

To adopt the report of the majority.

Mr. Williams moved

To substitute by referring both reports to general orders.

The ayes and nays were demanded.

The roll being called there were 25 votes in the affirma- and 19 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Dawson, DeWoody, Huntington, Huston, Helvig, Hutchinson, Johnson, Myron, McCall, McCumber, Morgan, McHugh, Roach, Ruger, Stevens, Swanton, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Coe, Gregg, Larson, Miller, Martin, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Southwick, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Eldredge, Hobart, Langan, Steele.

So the motion to refer the bills and the majority and minority reports to the General Orders prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 18, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 127. A bill for an act establishing a winter road for the counties of Grand Forks and Walsh.

Which the Council have this day passed.

Also,

Council Bill No. 176. A bill for an act to reimburse Brown county for money paid out for the taking care of paupers.

Also,

Council Bill No. 186. A bill for an act to making appropriations to pay for fuel used in heating the Capitol building.

Also,

Council Bill No. 154. A bill for an act to authorize School District No. 7, in Cass county, to issue bonds and to build a school house.

Also,

Council Bill No. 66. A bill for an act to amend chapter 30 of the Code of Civil Procedure revised 1877, of the Territory of Dakota, and making an annual appropriation to provide for maintenance of the militia.

Also,

Council Bill No. 61. A bill for an act making appropriation for constructing and furnishing a building for the North Dakota College, at Fargo, Dakota.

Also,

Council Bill No. 233. A bill for an act to incorporate the city of Millbank.

Also,

Council Bill No. 184. A bill for a Memorial to Congress for an appropriation to improve the navigation of the James river.

Also,

Council Bill No. 83. A bill for an act to amend section 15, chapter 21, Revised Code.

Also,

Council Bill No. 107. A bill for an act to amend section 47 of the Justice Code of the Territory of Dakota.

Also,

Council Bill No. 171. A bill for an act to amend section 415 of the Civil Code of the Territory of Dakota.

All of which the Council have passed and to which they respectfully ask your concurrence.

Also,

Council Bill No. 156. A bill for an act to revise and amend article 11 of Civil Code,

And

Council Bill No. 199. A bill for an act to incorporate the village of Howard, in Miner county, and to repeal former acts of incorporation of said town which the Council passed on the 18th inst. and to which your concurrence is respectfully requested.

Also,

House Bill No. 132. A bill for an act to incorporate the city of DeSmet, which the Council has passed this day.

Very Respectfully,

A. W. HOWARD,

Chief Clerk.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., Feb. 19, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 106. A bill for an act to provide for a special election in McHenry county.

Also,

House Bill No. 96. A bill for an act authorizing the commissioners of Ramsey county to issue bonds to build roads and bridges in said county.

Also,

House Bill No. 79. A bill for an act to amend section 468 of Code of Civil Procedure.

GILBERT A. PIERCE,
Governor.

Mr. Gregg moved
To suspend the rules, and that
House Bill No. 97
Be taken from the general orders.

Which motion prevailed.

Mr. Ruger moved
To accept and adopt the amendment proposed by the committee on Ways and Means.

Which motion prevailed.

Mr. Gregg moved
To suspend the rules, and that the bill
Be read the third time and put upon its final passage.

Which motion prevailed, and
House Bill No. 97. A bill for an act authorizing the commissioners of Ramsey county to fund its outstanding indebtedness,
Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Blakemore, Eldredge, Langan, Martin, Steele.

So the bill passed and its title was agreed to.

On motion of Mr. McCumber,

House Bill No. 228. A bill for an act incorporating the city of Wahpeton,

Was taken from the general orders, and the amendments of the committee on Towns and Cities were agreed to, and the rules suspended,

The bill was then read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Eldredge, Hobart, Helvig, Langan, Pugh, Steele, Ward of Turner.

So the bill passed and its title was agreed to.

By unanimous consent, the vote by which

House Bill No. 132

Was passed, was reconsidered, and

Mr. Barnes moved

To amend by adding the following words after the words "northeast quarter," in the twelfth line of section 1, as written, to-wit: "and all of the east half (e $\frac{1}{2}$) of the southwest quarter."

Which amendment was adopted, and

On motion of Mr. Barnes,

The rules were suspended, and

The bill read the third time and put upon its final passage.

The roll being called there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Hobart, Langan, Pugh, Steele, Swanton, Ward of Turner.

So the bill passed and its title was agreed to.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a

Committee of the Whole for the consideration of the special order, same being

House Bill No. 78,

With Mr. Blakemore in the chair.

When the committee rose, Mr. Blakemore made the following report:

MR. SPEAKER:

The committee of the Whole have considered

House Bill No. 78,

Relating to the division of Lawrence county and the formation of Meade county, and recommend that the bill do not pass.

JOHN T. BLAKEMORE,
Chairman.

Mr. Martin moved

To adopt the report of the committee of the Whole.

Yeas and nays demanded.

The roll being called there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Langan, McCall, McHugh, Steele.

So the report of the committee was adopted.

Mr. Martin moved

To suspend the rules, and

The bill be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called, there were no votes in the affirmative and 41 votes in the negative, viz:

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Langan, McCall, McHugh, Parshall, Steele, Stewart.

And so the bill was lost.

Mr. Martin moved

To reconsider the vote by which the bill was lost and to lay the same on the table.

Which motion prevailed.

Mr. DeWoody moved

To discharge the Conference committee from further consideration of

House Bill No. 82,

Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Ruger introduced, by request,—

House Bill 240. A bill for an act to divide the county of Emmons and create the county of Winona,

Which was read the first time.

Hr. Huston, by request, introduced—

House Bill No. 241. A bill for an act to establish the independent school district of Grand View, in the county of Douglass, in the Territory of Dakota, and for other purposes.

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 242. A bill for an act to amend section 39 of chapter 1 of the Code of Personal Relations.

Which was read the first time.

Mr. Johnson introduced—.

House Bill No. 243. A bill for a Joint Resolution providing for the appointment of immigration agents, etc.

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 199. A bill for an act relating to the discharge of railroad employes, and the payment of wages due,

Read the second time and referred to the committee on Railroads.

House Bill No. 202. A bill for an act to provide for the organization and government of the University of Missouri and for other purposes,

Read the second time and referred to the committee on Appropriations.

House Bill No. 205. A bill for an act to repeal sections 17, 18, 19, 20 and 21, in relation to road tax and road supervisors of an act entitled an act to authorize and empower the county of Union, Dakota Territory, to issue bonds to fund the outstanding indebtedness thereof,

Read the second time, and

Mr. Larson moved

To suspend the rules, and that

The bill be read the third time and put upon its final passage.

Which motion prevailed.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Johnson, Martin, Morgan, Oliver, Ruger, Steele, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 206. A bill for an act to amend an act entitled an act to annex certain territory to the Vermillion City School District, and for other purposes,

Read the second time and referred to the committee on Education.

House Bill No. 207. A bill for an act to prevent the sale of intoxicating liquors within three miles of the Dakota University, in the city of Vermillion, county of Clay, Territory of Dakota, except for medicinal and mechanical purposes,

Read the second time and referred to the committee on Education.

House Bill No. 208. A bill for an act to amend section 56, chapter 28 of the Political Code, entitled "revenue,"

Read the second time and referred to the committee on Ways and Means.

House Bill No. 209. A bill for an act to amend section 759 of the Penal Code, relating to terms of imprisonment,

Read the second time and referred to the committee on Judiciary.

THIRD READING OF HOUSE BILLS.

House Bill No. 170. A bill for an act amending section 39, chapter 75, Session Laws of 1883, in regard to drainage,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Southwick voting in the negative.

Absent and not voting:

Messrs. Blakemore, Coe, Eldredge, Langan, Martin, McHugh, Steele, Stevens, Van Osdel.

So the bill passed and its title was agreed to

House Bill No. 162. A bill for an act to regulate dealing in passage tickets,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Eldredge, Langan, Martin, McHugh, Steele, Stevens, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 74. A bill for an act authorizing county treasurers to bid off real estate in the name of the county,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Mr. Speaker.

Mr. Van Osdel voted in the negative.

Absent and not voting:

Messrs. DeWoody, Eldredge, Johnson, McCall, McHugh, Oliver, Steele, Southwick, Stevens, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 138. A bill for an act providing for the appointment of sheep inspectors,

Was read the third time.

Mr. Barnes, by unanimous consent, amended section 1 by adding after the word "may," in section 1, the words "if they deem it expedient."

Which amendment was adopted.

The roll being called upon the final passage of the bill as amended, there were 38 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Mr. Speaker.

Mr. Williams voting in the negative.

Absent and not voting:

Messrs. Bayard, Eldredge, Johnson, Langan, Oliver, Pierce, Steele, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 159. A bill for an act defining the boundaries of Billings, Villard, Dunn and Wallace counties,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Miller, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Smith, Sprague, Scott, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron, Swanton, Stebbins, Stewart. Van Osdel.

Absent and not voting:

Messrs. Bayard, Blakemore, Eldredge, Langan, Martin, McCall, McHugh, Steele, Stevens, Ward of Turner, Ward of Brule.

So the bill passed and its title,

On motion of Mr. Myron,

Was amended by striking out all words after the word "counties," and the title so amended was agreed to.

House Bill No. 156. A bill for an act defining the crime of forgery, and prescribing the punishment therefor,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, Eldredge, Langan, McHugh, Pugh, Steele, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 19. A bill for an act to provide for the incorporation of street railway companies, and for other purposes.

Was read the first time.

Council Bill No. 75. A bill for an act creating the county of Marshall, and defining the boundaries of Day county.

Was read the first time.

Council Bill No. 78. A bill for an act to provide funds to pay the deficiency caused by the construction of the University of North Dakota, and for other purposes.

Was read the first time.

Council Bill No. 87. A bill for an act supplementary to chapter 28 of the Political Code, entitled Revenue,

And

To authorize the bringing of suits for the recovery of delinquent taxes, and to regulate proceedings therein,

Was read the first time.

Council Bill No. 112. A bill for an act to amend section 9 of chapter 39 of the Political Code,

Was read the first time.

Council Bill No. 122. A bill for an act to vacate certain portions of the townsite of Oriska,

Which was read the first time.

Council Bill No. 129. A bill for an act to authorize school district No. 18, Cass county, to issue bonds to build school house,

Was read the first time.

Council Bill No. 132. A bill for an act authorizing the treasurer of Traill county to transfer certain funds into the county fund,

Was read the first time.

Council Bill No. 133. A bill for an act establishing civil townships in Traill county, Dakota,

Was read the first time.

Council Bill No. 139. A bill for an act establishing Independent school district No. 3, Lake county, Dakota,

Was read the first time.

Council Bill No. 167. A bill for an act to authorize the county commissioners of Miner county to fund outstanding indebtedness thereof,

Was read the first time.

Council Bill No. 173. A bill for an act to vacate Hammer's second addition to the city of Mitchell,

Was read the first time.

Council Bill No. 175. A bill for an act to vacate the town of Denton, Sanborn county, Dakota,

Was read the first time.

Council Bill No. 190. A bill for an act providing a new charter for the city of Fargo,

Was read the first time.

Council Bill No. 206. A bill for an act to provide for the issue of bonds to aid in the construction of a court house and jail for the county of Walsh, Territory of Dakota,

Was read the first time.

Council Bill No. 108. A bill for an act to amend section 3 of the Political Code,

Was read the first time.

Council Bill No. 111. A bill for an act to amend section 5 of Chapter 13 of the Laws of 1879, concerning the blind,

Was read the first time.

Council Bill No. 140. A bill for an act to provide for the organization of new counties,

Was read the first time.

Substitute for

Council Bills Nos. 149 and 150. A bill for an act to amend the charter of the city of Grafton, relating to the condemnation of lands for public purposes and to liquor licenses,

Was read the first time.

Council Bill No. 159. A bill for an act to amend section 82 of article 7 of an act entitled an act to incorporate the city of Grand Forks,

Was read the first time.

Council Bill No. 165. A bill for an act to amend section 656 of the Civil Code,

Was read the first time.

Council Bill No. 170. A bill for an act to provide for funds to erect and furnish a main building for juvenile offenders at Plankinton,

Was read the first time.

On motion of Mr. Ward, of Brule,

The bill was read the second time and referred to committee on Appropriations.

Council Bill No. 185. A bill for an act to incorporate the city of Madison, Dakota Territory,

Was read the first time.

Council Bill No. 202. A bill for an act granting a charter to the city of Columbia,

Was read the first time.

Substitute for

Council Bill No. 61. A bill for an act making an appropriation for constructing and furnishing a building for the North Dakota college at Fargo,

Was read the first time, and

On motion of Mr. Pickler,

Was read the second time and referred to the committee Appropriations.

Council Bill No. 66. A bill for an act to amend chapter 30 of the Code of Civil Procedure, revised 1877, of the Territory of Dakota, and making an annual appropriation to provide for the maintenance of the militia,

Was read the first time.

Substitute for

Council Bill No. 83. A bill for an act to amend section 15, chapter 21, Revised Code,

Was read the first time.

Substitute for

Council Bill No. 107. A bill for an act to amend section 47 of the Justices' Code of the Territory of Dakota,

Was read the first time.

Council Bill No. 154. A bill for an act to authorize School District No. 7, Cass county, to issue bonds and to build a school house,

Was read the first time.

Substitute for

Council Bill No. 171. A bill for an act to amend section 415 of the Civil Code of the Territory of Dakota,

Was read the first time.

Council Bill No. 176. A bill for an act to reimburse Brown county, Dakota, for the money paid out for the taking care of certain paupers named, in unorganized territory,

Was read the first time.

Substitute for

Council Bill No. 184. A bill for a Memorial to Congress for an appropriation to improve the navigation of the James river,

Was read the first time.

Council Bill No. 186. A bill for act making appropriation for fuel used for heating the Capitol building,

Was read the first time.

Council Bill No. 233. A bill for an act to incorporate the city of Millbank,

Was read the first time.

Mr. Williams was granted unanimous consent and reported

A Memorial relating to the pine lands of Minnesota.

GENERAL ORDERS.

Mr. Oliver moved

That the rules be suspended, and that

The House proceed to consideration of general orders.

Which motion prevailed.

The House then resolved itself into a Committee of the Whole, with

Mr. Oliver in the chair.

When the committee rose, Mr. Oliver presented the following report:

MR. SPEAKER:

Your committee of the Whole House have considered

House Bill No. 86. A bill for an act exemping certain judgments,

Together with the majority and minority reports of the Judiciary committee,

And recommend that the bill be passed by this House.

Also,

House Bill No. 105

And the substitute therefor proposed by the committee on Agriculture,

And recommend that the substitute bill be passed by this House.

Also,

House Bill No. 124

With the amendments made by the committee on Ways and Means,

And recommend that the bill as amended by the committee do pass.

Also,

House Bill No 167.

With certain amendments proposed by the committee on Ways and Means, together with certain amendments proposed by Mr. McCumber, providing that the first interests may be paid out of the general county fund,

And recommend that the bill as amended do pass.

Also,

House Bill No. 187. A bill for an act providing for a board of examiners, together with the report of the committe on Territorial Affairs, with the amendments proposed by them and recommend section 1 of the bill be stricken out, and that the further consideration of the bill be indefinitely postponed.

Also,

House Bill No. 212. A bill for an act to locate the county seat of Spink county, with the amendments proposed by the committee on Towns and Cities and recommend that the bill and the majority and minority reports of the committee on Towns and Cities be recommitted to the committee on Counties, with instructions to prepare a bill dividing Spink county, and providing for a special election to locate county seats of the respective counties.

H. S. OLIVER,
Chairman.

Mr. Williams moved
To adopt the report of the committee.

Mr. Pickler moved
To amend by adopting all except the report on House Bill No. 212,

The yeas and nays were demanded.

The roll being called, there were 20 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Coe, Gregg, Miller, Martin, McCumber, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Southwick, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Those who voted in the negative were:
Messrs. Clark, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, Morgan, McHugh, Roach, Ruger, Stevens, Swanton, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Parshall, Steele, Stewart.

Mr. Eldredge being excused.

So the amendment to the motion of Mr. Williams was lost.

Then the original motion of Mr. Williams was put and Yeas and nays demanded.

The roll being called, there were 27 votes in the affirmative, and 19 votes in the negative, viz.:

Those who voted in the affirmative were:
Messrs. Clark, Coe, Dawson, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, Morgan, McHugh, Pickler, Roach, Ruger, Stevens, Swanton, Stebbins, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Gregg, Miller, Martin, McCumber, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Southwick, Smith, Sprague, Stewart, Van Osdel, Ward of Turner.

Absent and not voting:
Messrs. Eldredge and Steele.

So the report was adopted.

Mr. Pickler changed his vote from no to aye in order to move a reconsideration of the vote if he desired so to do.

Mr. Williams moved
That the House do now adjourn.
Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

THIRTY-NINTH DAY.

BISMARCK, Friday, Feb. 20, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,
The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. Eldredge, Hobart, Miller, Oliver, Pierce, Pugh and Stevens absent.

Messrs. Eldredge, Hobart, Pierce and Pugh excused on account of illness.

Messrs. Miller and Stevens reported subsequently.

Reading of Journal dispensed with and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

Mr. McCumber presented the following:

To the Members of the Sixteenth Legislative Assembly of the Territory of Dakota:

We, the undersigned, of the county of Richland, being desirous of securing means of mutual insurance among the farming community of the Territory of Dakota, thereby supplying the means of redress in case of loss of property insured; and also encouraging the growth and development of home institutions, by retaining the money in our own community that would otherwise be paid to foreign corporations and companies, do hereby petition your honorable body to enact a law for the organization of farmers' insurance companies similar to that now in force in the state of Minnesota, under section 388–354, inclusive, of chapter 34 of the General Statutes of Minnesota.

Also,

To the Members of the Sixteenth Legislative Assembly of the Territory of Dakota:

We, the undersigned, of the county of Richland, being desirous of securing means of mutual insurance among the farming community of the Territory of Dakota, thereby supplying the means of redress in case of loss of property insured, and also eecouraging the growth and development of home institutions by retaining the money in our own community that would otherwise be paid to foreign companies, do hereby petition your honorable body to enact a law for the organization of farm insurance companies similar to that now in force in the state of Minnesota, and sections 388 to 354, inclusive, of chapter 34 of General Statutes of Minnesota,

Which was referred to the committee on Insurance.

The Speaker announced his signature to

House Bill No. 132.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 17, 1885.

MR. SPEAKER:

Your committee on Charitable Institutions to whom was referred

Substitute for

Council Bill No. 11. A bill for an act establishing the North Dakota Hospital for the Insane, and providing for the Dakota Hospital for the Insane,

Have had the same under consideration and beg leave report the same back with the recommendation that it do pass.

J. C. SOUTHWICK,
Chairman.

MR. SPEAKER:

Your committee on Appropriations to whom was referred

Substitute for

Council Bill No. 85. A bill for an act to appropriate funds to pay expenses of militia to Spink county, Dakota, December 12, 1884.

Have had the same under consideration, and beg leave to recommend that it do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 132,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 20th day of February, 1885, at 11:15 o'clock a. m., presented

House Bill No. 132

To His Excellency the Governor for his signature and approval.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 162,

Have carefully considered the same and report it back to the House with the recommendation that it do pass:

E. HUNTINGTON,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

A substitute for

Council Bill No. 97. A bill for an act to repeal chapter 38 of Session Laws of 1881, relating to pay of county commissioners, Stutsman county,

And recommend that it be amended by striking out the words "Session Laws of 1881," and inserting instead thereof, "Special and Private Laws of 1881,"

And when so amended, your committee further recommend its favorable consideration and passage by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 170. A bill for an act to amend section 34 of chapter 75 of the Session Laws of 1883, in regard to drainage,

Have considered the same and report it back amended.

Also,

House Bill No. 104. A bill for an act entitled an act to exempt farm improvements and farming implements from taxation.

Also with amendments.

Also,

House Bill No. 161. A bill for an act to authorize the commissioners of Deuel county to fund the outstanding indebtedness thereof,

Have had the same under consideration, and report the same back and recommend that said

House Bill No. 170,
House Bill No. 104,
Pass as amended.

Also, that
House Bill No. 161
Do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Territorial Affairs have had under consideration

Council Bill No. 207. A bill for a concurrent resolution in relation to the honorable junior senator from Indiana,

And do recommend that it do pass.

S. E. STEBBINS,
Chairman.

BISMARCK, February 17, 1885.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

Council Bill No. 91. A bill for an act authorizing the county of Foster to issue bonds for the building of a court house, and for other purposes.

Also,

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake county, Dakota.

Also,

Council Bill No. 99. A bill for an act providing for the issue of bonds for the erection of a court house and jail for the county of Wells, and for other purposes.

Have had the same under consideration, and report them back and recommend that they do pass.

E. B. DAWSON,
Chairman.

BISMARCK, February 16, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 104. A bill for an act to amend section 416 of the Code of Criminal Procedure of the Territory of Dakota,

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

Council Bill No. 135. A bill for an act amendatory of an act to incorporate the city of Grand Forks,

Have considered the same and recommend that the bill do pass.

M. L. MILLER,
Chairman.

INTRODUCTION OF BILLS.

Mr. McCall introduced—

House Bill No. 244. A bill for an act defining the boundary lines of Monroe county, and for other purposes,

Which was read the first time.

Mr. Runkle introduced—

House Bill No. 245. A bill an act concerning corporations and persons engaged in the business of banking,

Which was read the first time, and

On motion the rules were suspended, the bill

Read the second time and referred to the committee on Banks and Banking.

Mr. Ruger introduced—

House Bill No. 246. A bill for an act to restore in part former boundaries to Ramsey county,

Which was read the first time, and

On motion the rules were suspended, the bill

Read the second time and referred to the committee on Counties.

Mr. Runkle introduced—

House Bill No. 247. A bill for an act to amend section 78 of chapter 28 of the Political Code,

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 248. A bill for an act authorizing the commissioners of Edmunds county to fund the outstanding indebtedness thereof,

Which was read the first time, and

On motion the rules were suspended, the bill

Read the second time and referred to the committee on Ways and Means.

Mr. Coe, by request, introduced—

House Bill No. 249. A bill for an act to amend section 238 of the Code of Civil Procedure,

Which was read the first time.

Also,

By request—

House Bill No. 250. A bill for an act to amend section 229 of the Code of Civil Procedure,

Which was read the first time.

Also,

By request—

House Bill No. 251. A bill for an act to amend section 113 of the Code of Civil Procedure,

Which was read the first time.

THIRD READING OF HOUSE BILLS.

House Bill No. 86. A bill for an act to exempt certain judgments,

Was read the third time and put upon its final passage.

The roll being called, there were 17 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Bayard, Coe, DeWoody, Huntington, Johnson, Larson, Langan, McCall, Morgan, Oliver, Pickler, Roach, Steele, Stevens, Smith, Stebbins, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Clark, Dawson, Gregg, Huston, Helvig, Myron, McCumber, McHugh, Runkle, Riddell, Ruger, Swanton, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Eldredge, Hobart, Hutchinson, Miller, Martin, Parshall, Pierce, Pugh, Southwick, Williams.

So the bill was lost.

Substitute for

House Bill No. 105. A bill for an act establishing a fence law in the county of Fall River and other counties,

Was read the third time and recommitted to the committee on Agriculture.

House Bill No. 124. A bill for an act to authorize the county commissioners of Dickey county to fund the outstanding indebtedness thereof.

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Hobart, McCall, Morgan, Pierce, Pugh, Ruger, Southwick, Stewart, Stong.

So the bill passed and its title was agreed to.

House Bill No. 126. A bill for a Joint Resolution and Memorial in relation to the pine lands of Minnesota.

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Hobart, McHugh, Oliver, Pierce, Pugh, Southwick, Stewart, Stong.

So the bill passed and its title was agreed to.

House Bill No. 167. A bill for an act to authorize the county commissioners of Sargent county, Dakota, to issue bonds to fund the debt of said county.

Was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Hobart, McHugh, Pierce, Pugh, Steele, Swanton.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

BISMARCK, Feb. 20, 1885.

MR. SPEAKER:

I herewith return

House Bill No. 219. A bill for an act supplemental to an act to legalize certain ordinances of the town of Wahpeton, providing for the establishment of water works, and to legalize the issue of certain bonds thereunder.

Also,

House Bill No. 5. A bill for an act to define the boundaries of Kidder county and other purposes.

Both of which the Council have passed.

I also transmit herewith

Council Bill No. 174. A bill for an act to provide for funding the indebtedness of Hughes county.

Also,

Council Bill No. 162. A bill for an act to provide for funding the indebtedness of Potter county and for other purposes

Also,

Council Bill No. 218. A bill for an act to provide for funding the indebtedness of Sully county.

Also,

Council Bill No. 120. A bill for an act to provide for contesting elections for county officers and for the location of county seats, and for other purposes.

Also,

Council Bill No. 183. A bill for an act to repeal chapter 99 of Laws of 1881, and for other purposes.

All of which the Council have passed, and to which your concurrence is respectfully requested.

A. W. Howard,
Chief Clerk Council.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 199. A bill for an act to incorporate the village of Howard, Miner county, and to repeal former acts of incorporation of said town,

Was read the first time.

Council Bill No. 156. A bill for an act to revise and amend article 11 of the Civil Code,

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 19. A bill for an act to provide for the incorporation of street railway companies, and for other purposes,

Read the second time and referred to the committee on Railroads.

Substitute for

Council Bill No. 61. A bill for an act making appropriations for constructing and furnishing a building for the North Dakota College at Fargo,

Read the second time and referred to the committee on Appropriations.

Council Bill No. 66. A bill for an act to amend chapter 30 of the Code of Civil Procedure, revised 1877, of the Territory of Dakota, and making an annual appropriation to provide for the maintenance of the militia,

Read the second time and referred to the committee on Military Affairs.

Council Bill No. 75. A bill for an act creating the county of Marshall, and defining the boundaries of Day county,

Read the second time and referred to the committee on Counties.

Council Bill No. 78. A bill for an act to provide funds to pay the deficiency caused by the construction of the University of North Dakota, and for other purposes,

Read the second time and referred to the committee on Appropriations.

Substitute for

Council Bill No. 83. A bill for an act to amend section 15 of chapter 21, Revised Code,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 87. A bill for an act supplementary to chapter 28 of the Political Code, entitled Revenue, and to authorize the bringing of suits for the recovery of delinquent taxes, and to regulate the proceedings therein,

Read the second time and referred to the committee on Ways and Means.

Substitute for

Council Bill No. 107. A bill for an act to amend section 47 of the Justices' Code of the Territory of Dakota,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 108. A bill for an act to amend section 3 of the Political Code,

Read the second time and referred to the committee on Elections.

Council Bill No. 111. A bill for an act to amend section 5 of chapter 13 of the Laws of 1879, concerning the blind, Read the second time and referred to the committee no Charitable and Penal Institutions.

Council Bill No. 112. A bill for an act to amend section 9 of chapter 39 of the Political Code,

Read the second time and

Amended by Mr. Johnson by striking out the words "or persons," in the first line, and

Referred to committee on Judiciary.

Council Bill No. 122. A bill for an act to vacate certain portions of the town of Oriska.

Read the second time, and

On motion of Mr. Steele

The rules were suspend and

The bill read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Eldredge, Hobart, Martin, Pierce, Pugh, Riddell.

So the bill passed and its title was agreed to.

Council Bill No. 129. A bill to authorize school district No. 8, Cass county, to issue bonds to build school house.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 132. A bill for an act authorizing the treasurer of Traill county to transfer certain funds into the county treasury.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 133. A bill for an act establishing civil townships in Traill county, Dakota,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 139. A bill for an act establishing Independent school district No. 3, Lake county, Dakota,

Read the second time and referred to the committee on Education.

Council Bill No. 140. A bill for an act to provide for the organization of new counties.

Read the second time and referred to the committee on Counties.

Substitute for

Council Bills Nos. 149 and 150. A bill for an act to amend the charter of the city of Grafton, relating to the condemnation of land for public purposes and liquor licenses.

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 154. A bill for an act to authorize school district No. 7, Cass county, to issue bonds to build school house.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 159. A bill for an act entitled an act to amend section 82 of article 7 of an act entitled an act to incorporate the city of Grand Forks.

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 165. A bill for an act entitled an act to amend section 656 of the Civil Code.

Read the second time and referred to the committee on Judiciary.

Council Bill No. 167. A bill for an act to authorize the county commissioners of Miner county to fund its outstanding indebtedness.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 171. A bill for a substitute for an act to amend section 415 of the Civil Code of the Territory of Dakota.

Read the second time and referred to the committee on Territorial Affairs.

Council Bill No. 173. A bill for an act to vacate Hammer's second addition to the city of Mitchell, Read the second time and

The rules were suspended,

The bill read the third time and put upon its final passage.

The roll being called there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Clark, Eldredge, Hobart, Myron, McCumber, Pierce, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 175. A bill for an act vacate the town of Denton, Sanborn county,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 176. A bill for an act to reimburse Brown county, Dakota, for taking care of certain paupers named, in unorganized territory,

Read the second time and referred to the committee on Appropriations.

Substitute for

Council Bill No. 184. A bill for an act for a Memorial to Congress for an appropriation to improve the navigation of the James river,

Read the second time and referred to the committee on Federal Relations.

Council Bill No. 186. A bill for an act making an appropriation to pay for the fuel used in heating the Capitol building,

Read the second time and referred to the committee on Appropriations.

Council Bill No. 206. A bill for an act to provide for the issue of bonds to aid in the construction of a court house and jail for the county of Walsh, Territory of Dakota,

Read the second time, and
On motion of Mr. Stewart,
The rules were suspended,
The bill read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Eldredge, Hobart, Miller, Pierce, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 185. A bill for an act to incorporate the city of Madison, Dakota Territory,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 190. A bill for an act providing a new charter for the city of Fargo,

Read the second time and referred to the committee on Town and Cities.

Council Bill No. 202. A bill for an act granting a charter to the city of Columbia,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 233. A bill for an act to incorporate the city of Millbank,
Read the second time and referred to the committee on Towns and Cities.

THIRD READING OF COUNCIL BILLS.

Substitute for
Council Bill No. 11. A bill for an act establishing the North Dakota Hospital for the Insane, and providing for the government of the Dakota Hospital for the Insane,
Was read the third time and put upon its final passage.

The roll being called there were 33 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Helvig, Larson, Martin, McCall, Morgan, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Huntington, Hutchinson, Johnson, Myron, Stong, Van Osdel.

Absent and not voting:

Messrs. Eldredge, Hobart, Langan, Miller, McCumber, McHugh, Pierce, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 60. A bill for an act to revive and re-enact chapter 4 of the Session Laws of 1883, entitled an act to locate and establish the North Dakota Territorial Agricultural College, approved March 9, 1883,

Was read the third time and put upon its final passage.

The roll being called there were 36 votes in the affirma- and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Hutchinson, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Johnson, Southwick, Sprague.

Absent and not voting:

Messrs. Eldredge, Hobart, Langan, Miller, Pierce, Pugh, Smith, Van Osdel.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 85. A bill for an act to appropriate funds to pay expenses of militia to Spink county, Dakota, December 12, 1884,

Was read the third time, and

Mr. Pickler moved

To recommit the bill to the committee on Appropriations.

Which motion did not prevail.

The bill was then placed on its final passage.

The roll being called, there were 41 votes inthe affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Parshall and Van Osdel.

Absent and not voting:

Messrs. Eldredge, Huntington, Hobart, Pierce, Pugh.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 97. A bill for an act to repeal chapter 37 of Session Laws of 1881, relating to pay of county commissioners of Stutsman county.

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Huntington, Hobart, Johnson, Morgan, McHugh, Pierce, Pugh, Stevens.

So the bill passed and its title was agreed to.

Council Bill No. 99. A bill for an act providing for the issue of bonds for the erection of court house and jail for the county of Wells and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Huntington, Hobart, Hutchinson, Pierce, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 104. A bill for an act to amend section 416 of the Code of Criminal Procedure of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Hobart, Huntington, Hutchinson, Morgan, Pierce, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Huntington, Hobart, Hutchinson, Pierce, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 117. A bill for an act to amend an act entitled an act providing a board of education for the city of Fargo,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Huntington, Hutchinson, Johnson, Pierce, Pugh, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 135. A bill for an act amending an act to incorporate the city of Grand Forks, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson,

DeWoody, Gregg, Huston, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Huntington, Hutchinson, Hobart, Pierce, Pugh, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 155. A bill for an act to incorporate the city of Watertown, Codington county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Hobart, Hutchinson, Pierce, Pugh, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 207. A bill for concurrent resolutions in relation to the honorable junior senator of Indiana,

Was read the third time and put upon its final passage.

The roll being called, there were 11 votes in the affirmative, and 32 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Gregg, Myron, Miller, Pickler, Riddell, Southwick, Smith, Sprague, Van Osdel.

Those who voted in the negative were:

Messrs. Blakemore, Coe, Dawson, DeWoody, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Runkle, Roach, Ruger, Steele, Stevens, Swanton, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Clark, Eldredge, Hobart, Pierce, Pugh.

So the bill was lost.

Mr. Oliver moved
To reconsider the vote by which the bill was lost.

Mr. Huntington moved
To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 24 votes in the affirmative, and 19 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:
Messrs. Clark, Eldredge, Hobart, Pierce, Pugh.

And so the motion to lay on the table prevailed.

Mr. Johnson moved
To adjourn.
Which motion prevailed.
Adjourned.

C. M. REED,
Chief Clerk House.

FORTIETH DAY.

BISMARCK, Saturday, February 21, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Chaplain being absent, prayer was dispensed with.
Mr. Rice, the permanent Speaker, being absent,

Mr. Blakemore was chosen Speaker pro tem.

Roll called.

The following members answered to their names:

Messrs. Barnes, Blakemore, Dawson, DeWoody, Hobart, Miller, Southwick, Sprague, Stong, Van Osdel, Williams.

And the following members were absent:

Messrs. Bayard, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. Southwick moved

That all absent members be excused.

Which motion prevailed.

Reading of the Journal dispensed with.

The following message was received from His Excellency, the Governor of Dakota.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., Feb. 21, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 132, A bill for an act to incorporate the city of DeSmet.

GILBERT A. PIERCE,
Governor.

Mr. Hobart moved

That when the House adjourn it adjourn until 2 o'clock p. m. Monday next.

Which motion prevailed.

Mr. Southwick moved

That the House do now adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FORTY-SECOND DAY.

BISMARCK, Monday, February 23, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present, except Messrs. Huntington, Langan and Miller,

Who were excused on account of illness.

The reading of the Journal was dispensed with, and referred to committee on Printing.

PETITIONS AND COMMUNICATIONS.

To the Members of the Sixteenth Legislative Assembly of the Territory of Dakota:

The undersigned citizens of Hamlin county, Dakota, would respectfully remonstrate against the reduction of the exemption law.

To the Legislature, Bismarck, D. T.:

The undersigned citizens of Codington county, Dakota, would respectfully remonstrate against the reduction of the exemption laws.

To the Legislature, Bismarck:

The undersigned citizens of Clark county, Dakota, would respectfully remonstrate against the reduction of the exemption laws.

To the Honorable Members of the Dakota Legislature, Bismarck, Dakota:

GENTLEMEN:

We, the undersigned citizens of Dakota Territory, over twenty-one years of age, petition your honorable body to grant the right of suffrage to women of Dakota on the same terms as now permitted to men.

We ask this as a matter of expediency, believing her as a class to be as sober, as moral and as capable as he. We ask it as a matter of justice because she submits to the laws and pays her proportion of tax; because it will better harmonize with the age in which we live, and promote sobriety, peace, morality, education and prosperity.

ESTELLINE, Feb. 16, 1885.

To the Legislative Body Assembled:

I wish to state to you that the compensation of assessors is too large, and would like to see it cut down, or rather, reduced one-third, as I think $3 per day is pretty good wages, and in fact it is too much, The State of Minnesota only allows the assessors $2 per day, and it is enough.

Please give your attention to the dog list. There ought to be some measure adopted to levy a tax of at least $2 a head on all the dogs of this country, as I think that any man that can afford to feed a worthless cur can afford to pay a tax on the same.

Please give these items your serious attention, and excuse any and all mistakes.

Fraternally and respectfully yours.

T. J. D.

[A Farmer.]

To the Honorable, the Legislature of the Territory of Dakota now in session in the city of Bismarck, Dakota:

The undersigned resident citizens and taxpayers of Emmons county, in the territory aforesaid, hereby earnestly protest against any scheme, project or contrivance to divide the said county of Emmons as is proposed by petitions, being a scheme of a small clique of men for money making purposes and does not meet with the approbation of the majority of the resident citizens and taxpayers of said Emmons county.

Any proposed division of said county should be voted on by the residents of said county, and should be submitted to vote by the residents thereof and should not become a law without consent by a majority vote of said county.

And your petitioners will ever pray.

TERRITORY OF DAKOTA, COUNTY OF EMMONS.

To the Honorable Council and House of Representatives of Dakota Territory, Assembled at Bismarck:

We, the undersigned residents and tax-payers residing in the south half of Emmons county, Dakota Territory, humbly petition and pray that there be no division of Emmons county for the following reasons:

1. That the population of the county is not sufficient to support two county organizations. At election last fall, with a full representation, only two hundred and sixty votes being polled.

2. That the present tax list, as assessed, is not sufficient to support and pay the current expenses of the county orgaiaztion.

3. That it is neither the desire or wish of the majority of the residents, either in the north or south half of this sparcely settled county, that any division be made, and that the voice of the people, if the matter is left to a vote, will fully demonstrate this.

To the Honorable, The Leqislature of Dakota:

We, the undersigned, citizens of Emmons county, having information that an effort is being made to create a new county from that portion being south of the eighth standard parallel, do most respectfully petition

That as this is not a large county (but forty townships and eight fractions).

That as at the recent general election there were but two hundred and sitxy-two votes cast.

That as in our judgment this number represents the number of legal voters in this county.

That as the valuation of said county is about two hundred and sixty thousand dolllars.

That as the valuation taxable in the portion to be set off is but about fifteen thousand dollars.

That as in our judgment there is no just grounds for such dismemberment or division.

That as said movement to divide is being urged by parties from another county solely for the purpose of gain at the expense of the people by creating a county seat.

That as your petitioners reside within that portion south of said eighth standard parallel to be set off.

That you will reject any and all resolutions having for its object to divide this county as above described, or in any manner whatever, your petitioners will forever pray.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Public Buildings to whom was referred
House Bill No. 185,
Respectfully recommend that it do pass.

W. H. RIDDELL,
Chairman.

Mr. Williams moved
To have all petitions relating to the division of Burleigh and Kidder counties withdrawn from the House.

Which motion prevailed.

Mr. Martin moved
That when the House adjourn it adjourn to meet tomorrow at 2 o'clock p. m.

Which motion prevailed.

Mr. Martin moved
To refer
House Bill No. 213
To the committe on Mines and Mining.

Mr. Steele moved
To amend by referring to special committee of five.

Which motion was lost.

And on motion of Mr. Barnes
The bill was referred to the committee on Ways and Means.

INTRODUCTION OF BILLS.

Mr. Sprague introduced—
House Bill No. 252. A bill for an act authorizing the county commissioners of Custer county to fund the outstanding indebtedness thereof.

Which was read the first time.

Mr. Blakemore introduced—
House Bill No. 253. A bill for an act to legalize the location of the county seat of Sanborn county, Dakota Territory.

Which was read the first time.

On motion of Mr. Blakemore,
The rules were suspended, and
House Bill No. 253
Was read a second time and referred to committee on Counties.
Mr. Coe introduced—
House Bill No. 254. A bill for an act to provide for the organization of civil townships and the government of the same,

Which was read the first time.

Mr. Barnes introduced—
House Bill No. 255. A bill for an act ascertaining the acreage of timber in Dakota Territory,

Which was read the first time.

Mr. Pugh introduced—
House Bill No. 256. A bill for an act authorizing the board of trustees of the incorporate town of Ellendale to donate aid to building a flouring mill,

Which was read the first time.

Mr. Oliver introduced—
House Bill No. 257. A bill for an act providing for a school board for the city of Lisbon, and for other purposes,

Which was read the first time.

Mr. Larson introduced—
House Bill No. 258. A bill for an act to authorize the board of county commissioners of Union county to refund the outstanding indebtedness,

Which was read the first time.

Mr. Dawson introduced—
House Bill No. 259. A bill for an act authorizing counties to give a bounty on wolf and fox scalps,

Which was read the first time.
Mr. Gregg introduced—
House Bill No. 260. A bill for an act to for the relief of Milton C. Connors,
Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 210. A bill for an act to prevent deception in the sales of dairy products,
Read the second time and referred to the committee on Public Health.

House Bill No. 211. A bill for an act providing for the construction of a court house and jail in the county of McPherson,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 213. A bill for an act to provide for the taxation of mines,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 214. A bill for a Joint Resolution to provide for a joint committee to draft a bill providing for submission of certain territorial appropriations to a vote of the people,

Read the second time and referred to the committee on Appropriations.

House Bill No. 215. A bill for an act authorizing the board of county commissioners of Aurora county to fund outstanding indebtedness,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 216. A bill for an act to amend section 67 of the Civil Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 217. A bill for an act to repeal section 760 of the Criminal Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 218. A bill for an act defining the boundaries of the Fourth Judicial District, and fixing the time for holding court therein,

Read the second time, and

The rules were suspended, and

The bill read the third time and put upon its final passage.

The roll being called there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Absent and not voting:
Messrs. Coe, Huntington, Langan, Miller, Morgan.

So the bill passed and its title was agreed to.

Mr. Williams moved
That the House adjourn.

The ayes and nays demanded.

The roll being called, there were 20 votes in the affirmative, and 25 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. DeWoody, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Martin, Morgan, McHugh, Pugh, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Stewart, Williams.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Helvig, Larson, Myron, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Smith, Scott, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Huntington, Langan, Miller.

So the motion was lost.

House Bill No. 220. A bill for an act to provide for the taxation of express companies.

Read the second time and referred to committee on Ways and Means.

House Bill No. 221. A bill for an act to authorize the trustees of the city of Groton, Brown county, to extend the time for the collection of taxes of the year 1884.
Read the second time.
Mr. Johnson moved
To suspend the rules.
That the bill be read the third time and put upon its final passage.
Which motion prevailed.
The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Langan, Miller, Pugh.

So the bill passed and its title was agreed to.

House Bill No. 222. A bill for a joint Resolution asking for the opening of the Wahpeton and Sisseton Indian reservations.

Read the second time and referred to the committee on Indian affairs.

House Bill No. 223. A bill for an act providing for struck juries.

Read the second time and referred to the committee on Judiciary.

House Bill No. 224. A bill for an act to authorize the Lenham Elevator and Lumber company, a corporation, to change its name.

Read the second time and referred to the committee on Judiciary.

House Bill No. 225. A bill for an act to amend paragraph 1 of section 1,970 of the Civil Code.

Read the second time and referred to the committee on Judiciary.

House Bill No. 226. A bill for an act to amend a certain section of chapter 39 of the Political Code.

Read the second time and referred to the committee on Judiciary.

House Bill No. 227. A bill for an act providing a method for changing the names of towns and villages.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 229. A bill for an act to incorporate the village of Parker, Turner county, Dakota, and define its boundaries.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 230. A bill for an act to incorporate the town of Bridgewater, McCook county, Territory of Dakota.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 231. A bill for an act for the organization of Library Institute of the Territory of Dakota.

Read the second time and referred to the committee on Judiciary.

House Bill No. 232. A bill for an act for mutual local insurance.

Read the second time and referred to the committee on Insurance.

House Bill No. 233. A bill for an act to change the name of the township of Logan, (103-64) Aurora county,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 236. A bill for an act to amend section 399 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 237. A bill for an act to amend chapter 44 of the Laws of 1883, concerning noxious weeds,

Read the second time and referred to the committee on Agriculture.

House Bill No. 249. A bill for an act to amend section 238 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

Mr. Swanton moved

To adjourn

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FORTY-THIRD DAY.

BISMARCK, Tuesday, February 24, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. Coe, Miller, Oliver, Stevens, Scott and Williams absent.

Messrs. Miller and Stevens excused on account of illness.

Messssrs. Coe, Oliver, Scott and Williams reported subsequently.

The reading of the Journal was dispensed with and referred to the committee on Public Printing.

PETITIONS AND COMMUNICATIONS.

BISMARCK, February 24, 1885.

Hon. E. A. Williams, House of Representatives, Bismarck:

DEAR SIR:

Will you please, on behalf of the board of directors of the North Dakota penitentiary at Bismarck, invite the members of the House of Representatives to visit the penitiary buildings to-morrow (Wednesday) afternoon, between 3 and 4 o'clock.

John Davidson, of the Northern Pacific, has kindly placed an engine and coach at the disposal of the party, and the same will be run direct to the buildings, about a mile south of the city.

I suppose the time occupied will be about two hours.

Very respectfully yours,
A. W. EDWARDS,
Chairman.

The speaker announced the appointment of Benjamin Wycoff as assistant chief clerk.

The speaker announced his signature to

House Bills Nos. 45, 56, 61, 72, 82, 84, 88, 89, 91, 116, 127 and 219.

Also,

Council Bills Nos. 10 and 147.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I return herewith

House Bill No. 115. A bill for an act to locate the county seat of Turner county, which the Council has passed with amendment as attached thereto.

Also,

House Bill No. 27. A bill for an act providing for the recording of official bonds of civil officers, which the Council has passed.

I also transmit

Council Bill No. 115. A bill for an act providing for a constitutional convention and the formation of a state constitution preparatory to the admission of Dakota into the Union.

Also,

Council Bill No. 188. A bill for an act to enable cities and municipal corporations to purchase and construct water works, and for other purposes.

Also,

Council Bill No. 178. A bill for an act to amend section 553 of the Code of Criminal Procedure of the Territory.

Also,

Council Bill No. 195. A bill for an fixing the fees of sheriffs and other officers.

Also,

Council Bill No. 194. A bill for an act fixing fees for transporting convicts to the penitentiary.

Also,

Council Bill No. 168. A bill for an act changing the incorporate limits of the city of Redfield.

Also

Council Bill No. 74. A bill for an act to locate and establish an asylum and school for the blind at the village of Milbank, Grant county, Dakota.

Also,

Council Bill No. 237. A bill for an act supplemental to an act entitled an act to enable the school districts of the counties of Barnes and Griggs to fund their indebtedness.

Also,

Council Bill No. 211. A bill for an act amending section 237 of the Code of Civil procedure.

Also,

Council Bill No. 16. A bill for an act relating to the exemption of volunteer firemen as jurors and from paying poll tax in the Territory of Dakota.

Also,

Council Bill No. 236. A bill for an act legalizing the acts of John P. Belding, late acting sheriff of Lawrence county and for other purposes.

Also,

Council Bill No. 216. A bill for an act to amend sections 2 and 6 of chapter 1 of the charter of the city of Grafton, and the boundaries of said city, all of which the Council has passed and respectfully ask your concurrence therein.

A. W. HOWARD,
Chief Clerk.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

Council Bill No. 167. A bill for an act to authorize the county commissioners of Miner county to fund the outstanding indebtedness of said county,

Have had the same under consideration and report the bill back with amendments and recommend that the bill as amended do pass.

E. B. DAWSON,
Chairman.

Also,

Council Bill No. 132. A bill for an act authorizing the treasurer of Traill county to transfer certain funds into the county fund,

Have had the same under consideration and recommend that it do pass.

Also,

Council Bill No. 154. A bill for an act to authorize school district No. 7, Cass county, to issue bonds and to build a school house.

Have had the same under consideration, and recommend that it do pass.

Also,

Council Bill No. 129. A bill for an act to authorize school district No. 18, Cass county, to issue bonds to build a school house.

Have had the same under consideration and beg leave to report the same back with the recommendation that it do pass.

Also,

Council Bill No. 87. A bill for an act supplementary to chapter 28 of the Political Code, entitled revenue, and to authorize the bringing of suits for the recovery of delinquent taxes, and to regulate proceedings therein.

Have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 134. A bill for an act providing for transcribing the records in Edmunds and McPherson counties

And recommend that the bill be amended by adding to section 3 the following:

Providing, however, that the board of county commissioners of the respective counties of Edmunds and McPherson may contract and let the transcribing of said records at any rates less than legal rates, and when so amended the said bill be considered favorably and passed by this House.

Also,

Council Bill No. 145. A bill for an act to amend sections 423 and 424 of the Code of Criminal Procedure of the Territory of Dakota,

And beg leave to report favorably and recommend its passage by this House.

Also,

Council Bill No. 107. A bill for an act to amend section 47 of the Justices' Code of the Territory of Dakota,

And beg leave to report favorably and recommend its passage by this House.

Also,

Council Bill No. 83. A bill for an act to amend section 5, chapter 21, Revised Code.

And beg leave to report favorably and recommend its passage by this House.

Also,

House Bill No. 92. A bill for an act creating Nelson county as a legal subdivision and providing for a term of court therein,

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

BISMARCK, February, 24, 1885.

MR. SPEAKER:

Your committee on Education have had under consideration

House Bill No. 206,

And beg leave to report and recommend that the same do pass.

Also,

House Bill No. 207,

And recommend that the same do pass.

Also,

Council Bill No. 128,

And recommend that the same do pass.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 114,

Beg leave to report that they recommend the bill be amended by new sections for sections 1, 2, 3 and 4, and that the bill as amended do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 108,

Have carefully considered the same and recommend that the same do pass.

J. P. WARD,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bills Nos. 45, 56, 61, 72, 82, 88, 89, 91, 116, 127 and 219,

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

BISMARCK, Feb. 24, 1885.

MR. SPEAKER:

Your Judiciary committee report herewith a
Substitute for
House Bill No. 117,
And recommend its passage.

E. W. MARTIN,
Chairman.

Mr. McCumber moved

The adoption of the substitute bill and moved to suspend the rules, read the bill the third time and put the bill upon its final passage,

Which motion prevailed.

The roll being called there were 46 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin. McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Miller and Stevens.

So the bill passed and its title was agreed to.

Mr. Ward of Turner, moved

To concur in the
Council amendments to
House Bill No. 115.

Which motion prevailed.

Mr. Martin moved
To concur in the amendments to
Council Bill No. 57,

Mr. Williams moved
As a substitute to refer all the bills from the committee on Appropriations, and the reports thereon be referred to the General Orders and considered Thursday next.

Mr. Pickler moved
To amend by inserting this afternoon.

Which amendment was adopted, and
The motion to refer to General Orders this afternoon prevailed.

INTRODUCTION OF BILLS.

Mr. Oliver introduced—
House Bill No. 261. A bill for an act to enable the voters of LaMoure county to vote upon the location of county seat,

Which was read the first time.

Mr. DeWoody introduced—
House Bill No. 262. A bill for an act to change the name of the village of Mina, in the county of Edmunds,

Which was read the first time.

Mr. Helvig introduced—
House Bill No. 263. A bill for an act to amend section 1,098 of the Civil Code,

Which was read the first time.

Mr. Stong introduced—
House Bill No. 264. A bill for an act creating the county of Heart, and describing and defining the boundaries thereof,
Which was read the first time.

Mr. Larson introduced—
House Bill No. 265. A bill for an act to repeal certain chapters of the Special Laws of 1867–68, 1868–69, 1870–71 and 1872–73, relating to Union county,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 266. A bill for an act to regulate the management of coal mines and mining,

Which was read the first time.

Mr. Blakemore introduced—

House Bill No. 267. A bill for an act to provide for a uniform system of text books for common and graded schools,

Which was read the first time.

Mr. Southwick introduced—

House Bill No. 268. A bill for an act to abolish the office of county assessor in certain counties and creating the office of district assessor and for other purposes,

Which was read the first time.

Mr. Pugh introduced—

House Bill No. 269. A bill for an act legalizing the acts of the commissioners of Dickey county in building a court house,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 270. A bill for an act authorizing the city of Bismarck, Dakota Territory, to issue bonds for the purpose of retiring and refunding bonds heretofore issued for building and furnishing a school house,

Which was read the first time.

Mr. Bayard introduced—

House Bill No. 271. A bill for an to act establish and provide for the maintenance of a general and uniform system of common schools and to improve their usefulness,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 234. A bill for an act to fund the outstanding indebtedness of Plankinton in Aurora county,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 235. A bill for an act amending chapter 75 of the Session Laws in 1883, relating to the drainage of land,

Read the second time and referred to the committee on Agriculture.

House Bill No. 238. A bill for an act to secure the public health and safety against unwholesome provisions,

Read the second time and referred to the committee on Public Health.

House Bill 240. A bill for an act to divide the county of Emmons and create the county of Winona,

Read the second time and referred to the committee on Counties.

House Bill No. 241. A bill for an act to establish the independent school district of Grand View, in the county of Douglass, Territory of Dakota, and for other purposes.

Read the second time and referred to the committee on Education.

House Bill No. 242. A bill for an act to amend section 39 of chapter 1 of the Code of Personal Relations,

Read the second time and referred to the committee on Judiciary.

House Bill No. 244. A bill for an act to define the boundary lines of Monroe county and for other purposes,

Was read the second time.

Mr. Blakemore moved

To refer the bill to the members from the Black Hills.

Mr. McCall moved

To amend by referring it to the committee on Counties.

Yeas and nays demanded.

Call of the House ordered,

And on motion of Mr. Oliver

Further proceedings under the call were dispensed with.

The roll being called, upon the motion to refer the bill to the committee on Counties, there were 26 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Southwick, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:
Messrs. Miller and Stevens.

So the motion prevailed.

House Bill No. 247. A bill for an act to amend section 78 of chapter 28 of the Political Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 250. A bill for an act to amend section 229 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 251. A bill for an act to amend section 113 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 254. A bill for an act to provide for the organization of civil townships and the government of the same,

Read the second time and referred to the committee on Towns and Cities.

THIRD READING OF HOUSE BILLS.

House Bill No. 185. A bill for a Joint Resolution for the payment of persons about the Capitol building not otherwise provided for,

Was read the third time and put upon its final passage.

The roll being called there were 43 votes in the affirmative and no votes in negative, viz:
Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach Ruger, Steele, Southwick, Swanton Smith,, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.
Absent and not voting:
Messrs. Dawson, Miller, Stevens, Van Osdel, Ward of Brule.
So the bill passed and its title was agreed to.

House Bill No. 206. A bill for an act to annex certain territory to the Vermillion City School District, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, Dawson, Johnson, Miller, Morgan, McHugh, Stevens, Smith.

So the bill passed and its title was agreed to.

House Bill No. 207. A bill for an act to prevent the sale of intoxicating liquors within three miles of the Dakota University, in the city of Vermillion,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 8 votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Southwick, Swanton, Sprague, Stebbins, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Eldredge, Langan, McHugh, Runkle, Steele, Scott, Stewart.

Absent and not voting:

Messrs. Johnson, Miller, Morgan, Stevens, Smith.

So the bill passed and its title was agreed to.

Mr. McCumber changed his vote from nay to aye to move a reconsideration of the vote.

Mr. Williams moved

To reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table.

Which motion prevailed.

House Bill No. 92. A bill for an act creating Nelson county a legal sub-division of the Third Judicial District,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Miller, Riddell, Stevens, Smith, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 117. A bill for an act defining a subdivision of the Third Judicial district, and for other purposes,

Was read the third time, and put upon its final passage.

Ther roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Miller, Stevens, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 120. A bill for an act to provide for contesting elections for the location of county seats, and for other purposes.

Was read the first time.

Substitute for

Council Bill No. 162. A bill for an act to provide for funding the indebtedness of Potter county and for other purposes,

Was read the first time.

Substitute for

Council Bill No. 174. A bill for an act to provide for funding the indebtedness of Hughes county, Dakota,

Was read the first time.

Council Bill No. 183. A bill for an act to repeal chapter 99 of the Session Laws of 1881, and for other purposes,

Was read the first time.

Council Bill No. 218. A bill for an act to provide for funding the indebtedness of Sully county,

Was read the first time.

Council Bill No. 74. A bill for an act to locate and establish an asylum and school for the blind at the village of Milbank, in Grant county, Dakota,

Was read the first time.

Council Bill No. 115. A bill for an act providing for a constitutional convention and the formation of a state constitution, preparatory to the admission of Dakota into the Union and for other purposes,

Was read the first time.

Council Bill No. 168. A bill for an act changing the incorporate limits of the city of Redfield,

Was read the first time.

Council Bill No. 178. A bill for an act to amend section 553 of the Code of Criminal Procedure of the Territory of Dakota,

Was read the first time.

Council Bill No. 188. A bill for an act to enable cities and municipal corporations to purchase and construct water works and other purposes,

Was read the first time.

Council Bill No. 194. A bill for an act fixing the fees for transporting convicts to the penitentiary,

Was read the first time.

Council Bill No. 194. A bill for an act fixing the fees of sheriffs and other officers for transporting insane persons to the asylum of this territory,

Was read the first time.

Council Bill No. 251. A bill for an act supplemental to an act entitled an act to enable the school districts of the counties of Barnes and Griggs to fund their indebtedness,

Was read the first time.

Mr. Williams moved

To suspend the rules and that

The above Council Bills be read the second time bo their title and referred to their appropriate committees.

Yeas and nays demanded.

The roll being called, there were 20 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Dawson, DeWoody, Huntington, Huston, Hobart, Hutchinson, Johnson, Myron, McCall, McCumber, Oliver, Pugh, Roach, Steele, Stebbins, Scott, Stong, Williams.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Gregg, Helvig, Larson, Langan, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Ruger, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Eldredge, Miller, Morgan, McHugh, Southwick, Stevens, Stewart, Ward of Brule.

So the motion was lost.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 156. A bill for an act to revise and amend article 11 of the Civil Code,

Read the second time and referred to the committee on Insurance.

Council Bill No. 199. A bill for an act to incorporate the village of Howard, Miner county, and to repeal former acts incorporating said town,

Read the second time and referred to the committee on Cities and Towns.

THIRD READING OF COUNCIL BILLS.

Substitute for
Council Bill No. 83. A bill for an act to amend section 15, chapter 21, Revised Code,

Was, on motion of Mr. Van Osdel,

Referred to the general orders.

Substitute for
Council Bill No. 107. A bill for an act to amend section 47 of the Justices' Code of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Miller, Morgan, Stevens, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 108. A bill for an act to amend section 3 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Miller, Morgan, Stevens.

So the bill passed and its title was agreed to.

Council Bill No. 128. A bill for an act establishing Independent School District No. 4, Lake county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Miller, Morgan, Pickler, Stevens.

So the bill passed and its title was agreed to.

Council Bill No. 129. A bill to authorize school district No. 18, Cass county, to issue bonds to build school house,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Miller, Morgan, Stevens, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 132. A bill for an act authorizing the treasurer of Traill county to transfer certain funds into the county fund,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Johnson, Miller, Stevens, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 145. A bill for an act to amend sections 423 and 424 of the Code of Criminal Procedure of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Johnson, Miller, Stevens, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 154. A bill for an act to authorize school district No. 7, Cass county, to issue bonds and to build school house,

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Johnson, Miller, Stevens.

So the bill passed and its title was agreed to.

Council Bill No. 87. A bill for an act supplementary to chapter 28 of the Political Code, entitled Revenue, and to authorize the bringing of suits for the recovery of delinquent taxes, and to regulate the proceedings therein,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCall, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. McCumber, Southwick, Smith, Stewart, Van Osdel.

Absent and not voting:

Messrs. Coe, Johnson, Miller, Oliver, Pickler, Stevens.

So the bill passed and its title was agreed to.

MESSAGE FROM THE COUNCIL.

MR. SPEAKER:

I return herewith

House Bill No. 76. A bill for an act to insure the better education of practicioners of dental surgery, and to regulate the practice of dentistry, which the Council has amended by striking out the words "Who is not at the time of the passage of this act," where they occur in the second line of section 1.

House Bill No. 87. A bill for an act to create a new subdivision of the sixth judicial district, which the Council has amended by striking out the words "Terms of the district," where they occur in line three of section 2.

Also,

By striking out the word "Ellendale" in the fourth line.

Also,

By striking out the word "subdivision" in the fifth line, and by inserting the word "hereby" before the word "attached" in the seventh line of section 2.

To which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

GENERAL ORDERS.

The House then resolved itself into a Committee of the Whole for the consideration of General Orders, with

Mr. Ward of Brule in the chair.

When the committee rose,

Mr. Pickler moved

That the House, after roll-call to-morrow, resolve itself into a committee of the Whole for the consideration of General orders.

Which motion did notprevailed.

Mr. Oliver moved

To adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FORTY-FOURTH DAY.

BISMARCK, Wednesday, February 25, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. Helvig, Riddell, Roach, Swanton and Van Osdel absent at roll call.

Messrs. Helvig, Roach, Swanton, Van Osdel and Riddell reported subsequently.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 25, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred

House Bills Nos. 27 and 115,

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Ward, of Turner, moved
To reconsider the vote by which
Council Bill No. 108
Was passed.

Which motion prevailed.

Mr. Barnes moved that
Council Bill No. 39
Be recommitted to the general orders.

Which motion prevailed.

House Bill No. 121
Was made the special order for Friday at 3 o'clock p. m.

Mr. Langan moved
That when the House adjourn, it adjourn to meet at 2 o'clock p. m.

Which motion prevailed.

The Speaker announced his signature to
House Bills Nos. 27 and 115.

INTRODUCTION OF BILLS.

Mr. Johnson introduced—

House Bill No. 272. A bill for an act to create a county board of auditors and defining their duties,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 273. A bill for an act creating a judicial sub-division of the Sixth Judicial District and fixing the time for holding court therein,

Which was read the first time.

Mr. Clark introduced—

House Bill No. 274. A bill for an act for the division of Morton county and formation of the county of Carbon from the western part thereof,

Which was read the first time.

Mr. Smith introduced—

House Bill No. 275. A bill for an act to prevent the civil officers from entering into contracts with towns, townships, cities or the territory,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 276. A bill for an act to amend section 1,098 of the Civil Code,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 277. A bill for an act amending section 15 of the Justices' Code,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 278. A bill for an act to protect buffalo, elk, prairie chicken, etc.,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 243. A bill for a Joint Resolution providing for the appointment of immigration agents, etc.,

Read the second time and referred to the committee on Territorial Affairs.

House Bill No. 255. A bill for an act providing for ascertaining the acreage of timber in Dakota Territory,

Read the second time and referred to the committee on Agriculture.

House Bill No. 259. A bill for an act authorizing counties to give a bounty on wolf and fox scalps,

Read the second time and referred to the committee on Judiciary.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of General Orders, with

Mr. Williams in the chair.

When the committee rose Mr. Pickler moved
To consider the report of the committee to-morrow after roll-call, and to pass upon such bills then as are recommended by the committee,

Which motion prevailed.

On motion of Mr. Pickler the House
Adjourned.

C. M. REED,
Chief Clerk House.

FORTY-FIFTH DAY.

BISMARCK, Thursday, February 26, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. McHugh, Roach, Southwick and Stong absent at roll call.

All subsequently reported present.

The reading of the Journal was dispensed with, and referred to the committee on Public Printing for correction.

Mr. Ward of Brule presented the report of the committee of the Whole for February 24th and 25th, as follows:

MR. SPEAKER:

Your committee of the Whole House have considered
Substitute for
House Bill No. 34,
And recommend that the bill be referred for further consideration to the General Orders to-morrow.

Also,
House Bill No. 134
As amended by the committee on Judiciary, and recommend the passage of the bill as amended.

Also,
House Bill No. 204,
Together with the amendments made by the committee on Judiciary, and recommended the passage of the bill as amended by the committee on Judiciary.

Also,

Council Bill No. 83,

And recommend that the bill do pass.

Also,

Council Bill No. 114,

And recommend that the report of the committee be adopted, and the bill as amended by the committee on counties do pass.

Also,

Council Bill No. 144,

With the report of the committee on Towns and Cities and the amendments thereto, and recommend the adoption of the report, and that the bill as amended do pass.

Also,

Council Bill No. 165,

With the report of the committee on Judiciary, and the amendments proposed by the same, and recommend that the bill do pass as so amended.

Also,

Council Bill No. 167,

Together with the report of the committee on Ways and Means, and amendments proposed by them, and recommend that the bill be referred to General Orders to-morrow.

Also,

Council Bill No. 15,

And recommend the passage of the bill.

Also,

Council Bill No. 39,

And recommend the passage of the bill.

Also,

Council Bill No. 50,

And recommend that the committe rise, report progress and ask leave to sit again.

MARK WARD,
Chairman.

BISMARCK, Feb. 25, 1885.

The committee proceed to the consideration of
Council Bill No. 39,

Recommitted by the House to General Orders, together with certain amendments to the bill proposed by Mr. Barnes, and recommend the adoption of the amendments to the bill proposed, and that the bill pass as amended.

Also,
Council Bill No. 50,
And recommend that the words "twenty-five thousand" be stricken from section 1 of the bill, and the words "twenty thousand" inserted in lieu thereof. Also amend section 2 by adding the words "provided that said bonds shall not be sold at less than their par value." Also amend section 7 by providing that the item of $15,000 for a dormitory be reduced to $12,000, and that the item of $2,000 for a workshop be stricken out, and your committee recommend that the bill when so amended do pass.

Also,
Council Bill No. 56,
And recommend that the bill do pass.

Also,
Council Bill No. 57,
Together with the report of the committee on Appropriations, recommeneing that $12,000 be inserted in lieu of $20,000, and recommend that section 19 of the bill be amended so as to provide that the bonds issued shall not be sold at less than their par value, and that the bill when so amended do pass.

Also,
House Bill No. 60,
And recommend that section 1 be amended so as to read that after the words "county of Morton," where they appear in said section, the following words shall be added, "and within three miles of the city of Mandan." Also recommend that section 2 be amended as follows. Also recommend that bill as amended by the committee on Appropriations do pass.

Also,
Substitute for
Council Bill No. 61,
Recommend that bill as reported by committee on Appropriations do pass.
Also,
Council Bill No. 70,
And recommend that the bill do pass.
Also,
Council Bill No. 78,
And recommend that section 2 be amended that said bonds shall not sell for less than par, and that the bill do pass as amended.

Also,

House Bill No. 158,

And recommend that it be amended so that bonds shall not sell for less than par, and that the bill when so amended do pass.

Also,

Council Bill No. 170,

And recommend that it be amended to read that the bonds issued as provided in the bill shall not be sold for less than par, and that the bill do pass.

Also,

House Bill No. 73,

And recommend that the bill do pass.

E. A. WILLIAMS,
Chairman.

Mr. McHugh moved

That all appropriation bills and the reports of the Committee of the Whole House thereon be referred to the following committee:

Messrs. Ward of Brule, Pugh, Stewart, Hobart and DeWoody.

Mr. Pickler moved

To lay the motion on the table.

The ayes and nays demanded.

The roll being called there were 18 votes in the affirmative and 30 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Riddell, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Barnes, Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

And so the motion to lay on the table was lost.

Mr. Blakemore moved

As a substitute to the motion that the bills be referred to a committee to be appointed by the chair..

Mr. DeWoody moved

The previous question.

Yeas and nays demanded on the substitute motion.

The roll being called, there were 21 votes in the affirmative, and 27 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Langan, Myron, Miller, Martin, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

So the substitute motion was lost.

Mr. Martin moved

To lay the main question on the table.

Ayes and nays demanded on the motion of Mr. Martin to lay the main question on the table.

The roll being called, there were 19 votes in the affirmative, and 29 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Riddell, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

And so the motion to lay the main question on the table was lost.

Mr. Barnes moved

To amend by striking out the names of the committee.

Which motion was ruled out of order.

EXECUTIVE COMMUNICATIONS.

BISMARCK, February 26, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 45. A bill for an act to amend section 47 of chapter 27 of the Political Code entitled "Elections."

Also,

House Bill No. 56. A bill for an act authorizing the county commissioners of Richland county to issue bonds of said county for paying certain indebtedness.

Also,

House Bill No. 72. A bill for an act providing for the construction of a court house in Edmunds county.

Also,

House Bill No. 61. A bill for an act fixing the per diem and mileage of the county commissioners of Custer and Pennington counties.

Also,

House Bill No. 82. A bill for an act to amend section 53 of chapter 44 of the Laws of 1883.

Also,

House Bill No. 84. A bill for an act to vacate the town site of Belmont.

Also,

House Bill No. 88. A bill for an act relating to the proofs of the existence of corporations in civil actions.

Also,

House Bill No. 89. A bill for an act to amend section 1 of chapter 62 of the Special Laws of 1881.

Also,

House Bill No. 91. A bill for an act to amend chapter 22 of the Political Code.

Also,

House Bill No. 116. A bill for an act to amend section 5 of chapter 33 of the Special Laws of 1883.

Also,

House Bill No. 127. A bill for an act to establish a winter road in the counties of Grand Forks and Walsh.

Also,

House Bill No. 219. A bill for an act supplemental to an act to legalize a certain ordinance of the town of Wahpeton.

Also,

House Bill No. 27. A bill for an act providing for the recording of the official bonds of civil officers.

Also,

House Bill No. 115. A bill for an act providing for the location of the county seat of Turner county,

GILBERT A. PIERCE,
Governor.

Mr. Pickler moved
That the House do now adjourn.

The ayes and nays were demanded.

The roll being called, there were 4 votes in the affirmative, and 44 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Eldredge, Martin, Southwick.

Those who voted in the negative were:
Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the motion was lost.

The main question being ordered,
The ayes and nays were demanded.

The roll being called, there were 28 votes in the affirmative, and 20 votes in the negative, viz.:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

And so the motion prevailed.
Mr. Blakemore moved
That the Speaker appoint four members of the special committee, none of whom shall be taken from a locality asking an appropriation.
Call of the House demanded.

Mr. Oliver moved

To suspend further proceedings under the call of the House.

The ayes and nays were demanded.

The roll being called, there were 32 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Helvig, Larson, Myron, Miller, Martin, Pickler, Pierce, Riddell, Swanton, Smith, Sprague, VanOsdel, Ward of Turner.

So the motion to dispense with the proceedings under the call of the House prevailed.

Mr. Pickler moved

That when the House adjourn it adjourn to meet tomorrow at 2 o'clock p. m.

The ayes and nays were demanded.

The roll being called there were 17 votes in the affirmative, and 31 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Langan, Miller, Martin, Pierce, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

So the motion was lost.

Mr. Pickler moved

To reconsider the vote by which the House refused to adjourn until 2 o'clock p. m.

Mr. Steele moved

To lay the motion to reconsider on the table.

Yeas and nays demanded.

The roll being called there were 29 votes in the affirmative and 19 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brûle, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, Parshall Pickler, Pierce, Riddell,Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

So the motion to lay on the table prevailed.

Mr. McCumber moved

To lay the motion of Mr. Blakemore on the table.

Yeas and nays demanded.

The roll being called, there were 28 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

So the motion prevailed.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I transmit herewith
Substitute for
Council Bills Nos. 25 and 73.

And,

House Bill No. 8. A bill for an act to provide for the establishment of a board of railroad commissioners and to regulate the receiving and transportation of freight on railroads in this Territory.

Also,

Council Bill No. 142. A bill for an act to amend section 1 of chapter 44 of the Special Laws of 1883.

Also,

Council Bill No. 152. A bill for an act to promote the planting of forest trees, etc.

Also,

Council Bill No. 181. A bill for an act to allow boards of supervisors of townships to issue bonds.

Also,

Council Bill No. 213. A bill for an act to amend sections 25 and 26 of article 2 of the charter of the city of Jamestown.

Also,

Council Bill No. 212. A bill for an act to empower school district No. 78, of Walsh county, Dakota, to issue bonds for school purposes.

Also,

Council Bill No. 227. A bill for an act to amend section 511 of the Code of Civil Procedure.

Also,

Council Bill No. 240. A bill for an act to authorize Lawrence county to purchase ground to build a jail and to provide for the payment of the same.

Also,

Council Bill No. 238. A bill for an act to amend section 236 of the Code of Civil Procedure.

Also,

Council Bill No. 219. A bill for an act authorizing the county commissioners of Towner county, Dakota, to fund its indebtedness.

Also,

Council Bill No. 246. A bill for an act creating the county of Eddy, defining its boundaries and defining the boundaries of Foster county and for other purposes.

Also,

Council Bill No. 204. A bill for an act incorporating the city of Mayville.

All of which the Council has passed and a concurrence of the same by your honorable body is respectfully requested.

A. W. HOWARD,
Chief Clerk.

PETITIONS AND COMMUNICATIONS.

A communication from Glenullen in reference to the division of Morton county was read and referred to committee on Counties.

MANDAN, February 26, 1885.

To the Governor and his Staff, the Council and House of Representatives and their officers, and the Representatives of the Press in the City, with their Ladies:

You are hereby cordially invited to attend an informal reception to be given to your honorable bodies by the citizens of Mandan and Morton county, at Mandan, on Wednesday next, March 4, 1885.

Signed:
J. A. MCDOUGAL,
W. A. CARR,
E. BOLEY,
GEO. H. BINGENHEIMER,
T. K. LONG,
WARREN CARPENTER, JR.,
J. H. MARLETTE,
C. W. VAN SLYCK,
Commttee.

Mr. Smith moved

To thank the citizens of Mandan and to respectfully decline the invitation.

Mr. Coe moved

As a substitute motion to accept the same.

The ayes and nays were demanded.

The roll being called there were 38 votes in the affirmative and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McHugh, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Helvig, Larson, McCumber, Pickler, Swanton, Smith, Ward of Turner.

Absent and not voting:

Mr. Van Osdel.

So the motion prevailed.

A letter and petition in reference to the Fargo charter was,

On motion of Mr. Oliver,

Referred to a special committee of five.

The Speaker appointed Messrs. Oliver, Pugh. McHugh, McCumber and Stebbins as such committee.

Mr. McCumber asked to be excused.

Which was granted.

Mr. Blakemore moved that

Council Bill No. 190

Be taken from the general orders and be referred to the Special committee.

Mr. Martin moved

To amend by transmitting the bill to the Council with the request that the bill be correctly engrossed and returned to the House.

Which amendment was adopted, and the original motion as amended was adopted.

Mr. Speaker then called Mr. Martin to the chair.

MOTIONS AND RESOLUTIONS.

Mr. Smith introduced the following resolution:

WHEREAS, It appears that the lamps now in use in the Capitol building are unsafe and dangerous, and

WHEREAS, It seems necessary in the near future to hold evening sessions; therefore, be it

Resolved, That the chairman of the committee on Public Buildings is hereby instructed to make arrangements for suitable lamps for the Hall of Representatives, and to have them in place here ready for use at the earliest possible moment, and the chairman of said committee on Public Buildings is hereby instructed to present to this House a bill of the costs of such lamps, oils and fixtures.

Mr. Williams moved

The adoption of the resolution.

Which motion prevailed.

Mr. Blakemore introduced the following resolution:

Resolved, That the special committee to whom was referred the several appropriation bills, be instructed to scale all appropriations before them for consideration forty per cent.

Mr. Smith moved

To amend by providing the same shall not apply to the insane asylum at Jamestown, or to the deaf mute asylum at Sioux Falls.

Mr. Williams moved

To lay the resolutions and motion on the table.

Yeas and nays demanded.

The roll being called, there were 32 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Gregg, Miller, Pickler, Pierce, Runkle, Riddell, Southwick, Smith, Ward of Turner.

Absent and not voting:

Messrs. DeWoody, Huntington, Larson, Parshall, Mr. Speaker.

Messrs. Runkle and Sprague explaining their votes.

So the motion prevailed.

Mr. Blakemore offered the following resolution:

Resolved, That the special committee to whom was referred the several appropriation bills, be instructed to hold the aggregate of the several appropriations within the sum of $160,000.

Mr. Pickler moved

To amend by substituting $50,000.

Mr. Barnes moved

To substitute by making it $100,000.

Mr. Williams moved

To lay the resolutions and amendments on the table.

Yeas and nays demanded.

The roll being called, there were 33 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, McCall, McCumber, Morgan, McHugh, Parshall, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Swanton, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Miller, Martin, Pickler, Pierce, Southwick, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Huntington, Oliver, Riddell, Mr. Speaker.

Mr. Myron explaining his vote.

And so the motion to lay on the table prevailed.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 26, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment

Beg leave to report that we have this 25th day of February, 1885, at 1:30 o'clock p. m., presented

House Bills Nos. 5, 45, 56, 61, 72, 82, 84, 88, 89, 91, 116, 127, 219

To His Excellency, the Governor, for his signature and approval.

Also,

Beg leave to report that we have this 25th day of February, 1885, at 2 o'clock p. m., presented

House Bills Nos. 27 and 215

To his Excellency, the Governor, for his signature and approval.

V. V. BARNES,
Chairman.

BISMARCK, February 26, 1885.

MR. SPEAKER:

Your committee on Towns and Cities have considered House Bill No. 196,

And recommend that it do pass.

Also,

House Bill No. 195. A bill for an act to vacate portions of the townsite of Springfield, Bon Homme county.

Have had the same under consideration and report it back and recommend it do pass.

Also,

House Bills Nos. 188, 189 and 190, entitled bills for acts amending different sections of an act incorporating the city of Deadwood.

Have had the same under consideration and report them back with the recommendation that they do pass.

M. L. MILLER,
Chairman.

BISMARCK, February 26, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 198. A bill for an act to amend section 414 of the Code of Civil Procedure,

And beg leave to report favorably upon said bill and recommend its passage by this House.

Also,

House Bill No. 223. A bill for an act providing for struck juries,

And beg leave to report favorably and recommend that the said bill be passed by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 231. A bill for an act for the organization of a Library Institute in the Territory of Dakota.

And return the same herewith and recommend that it be referred to the committee on Education.

E. W. MARTIN,
Chairman.

Mr. Pickler moved

The adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 236. A bill for an act to amend section 399 of the Code of Civil Procedure,

And beg leave to report unfavorably and recommend that its further consideration be indefinitely postponed.

E. W. MARTIN,
Chairman.

Mr. Pickler moved

The adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 191. A bill for an act to amending section 104, Code of Civil Procedure,

And beg leave to report unfavorably and recommend that its further consideration be indefinitely postponed.

E. W. MARTIN,
Chairman.

Mr. Williams moved

The adoption of the report of the committee.

Which motion prevailed.

BISMARCK, February 26, 1885.

MR. SPEAKER:

Your committee on Federal Relations to which was referred

Substitute for

Council Bill No. 184, being a Memorial to Congress for an appropriation to improve the navigation of the James river,

Would respectfully report that they have had the same under consideration and recommend its passage by this House.

W. N. ROACH,
Chairman.

Mr. Sprague moved

To suspend the rules, and that

House Bills Nos. 188, 189 and 190

Be read the third time and put upon their final passage.

Which motion prevailed.

House Bill No. 188. A bill for an act amending section 72 of an act incorporating the city of Deadwood,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce,, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Scott, Stewart; Stong, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. DeWoody, Huntington, Miller, McCumber, Pugh, Swanton, Smith, Stebbins, Williams, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Barnes moved that

Council Bill No. 105

Be recalled from the Council.

Which motion prevailed.

House Bill No. 189. A bill for an act amending subdivision 1, section 12, charter of Deadwood,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Pierce, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Bayard, DeWoody, Huntington, Miller, McCumber, Oliver, Pugh, Riddell, Swanton, Williams, Mr. Speaker.

So the bill passed and its title was agreed to.

The Speaker announced his signature to

Council Bills Nos. 104, 107, 122, 126, 145, 173, 132, 129, 60, 206, 158.

Also,

Council Bill No. 85. A bill for an act appropriating funds to pay the militia to Spink county.

House Bill No. 190. A bill for an act amending subdivision second, section 12, charter city of Deadwood,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, Morgan, McHugh, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. DeWoody, Miller, McCall, McCumber, Oliver, Pierce, Pugh, Swanton, Williams, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Steele, chairman of the Insurance committee, presented a report on

Council Bill No. 156. A bill for an act to revise and amend article 11 of the Civil Code.

Mr. Eldredge moved

The adoption of the report of the Insurance committee and the amendments proposed by the committee.

Which motion prevailed.

Mr. Oliver moved

To suspend the rules and read the bill the third time and put the bill on its final passage,

But subsequently withdrew his motion and the bill was referred to the general orders.

Mr. Roach moved

To suspend the rules, and substitute for

Council Bill No. 184

Be read the third time and put upon its final passage.

Which motion prevailed.

Substitute for

Council Bill No. 184

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and 1 vote in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Riddell, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Mr. Swanton voting in the negative.

Absent and not voting:

Messrs. DeWoody, Gregg, Hobart, Miller, McCall, McCumber, Pugh, Runkle, Southwick, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Gregg moved

That the House do now adjourn.

The ayes and nays were demanded.

The roll being called, there were 9 votes in the affirmative, and 37 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Gregg, Hutchinson, Johnson, Morgan, Pickler, Pierce, Stevens, Swanton, Sprague.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Mr. Riddell and Mr. Speaker.

So the motion to adjourn was lost.

Mr. McCumber moved

To suspend the rules, and that

House Bill No. 223

Be read the third time and put upon its final passage.

Which motion prevailed, and

House Bill No. 223. A bill for an act relating to struck juries,

Was read the third time and put upon its final passage.

The roll being called there were 43 votes in the affirmative and 1 vote in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Mr. Smith voting in the negative.

Absent and not voting:

Messrs. Johnson, Stong, Van Osdel, Mr. Speaker.

So the bill passed and its title was agreed to.

INTRODUCTION OF BILLS.

Mr. Smith introduced—

House Bill No. 279. A bill for an act appropriating money to the Territorial Board of Agriculture,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 280. A bill for an act to amend section 2, chapter 77 of the Laws of 1881, entitled an act to amend an act to section 9, chapter 39, Political Code,

Which was read the first time.

Mr. Ward, of Brule, introduced—

House Bill No. 281. A bill for an act to amend an act entitled an act to incorporate the city of Chamberlain,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 282. A bill for an to act create the county of Washington and define its boundaries,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 283. A bill for an act creating the county of Eddy, defining its boundaries, and for other purposes,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 284. A bill for an act to fund the indebtedness of Fort Ransom school township, of Ransom county, Dakota,

Which was read the first time.

Also,

House Bill No. 285. A bill for an act to repeal chapter 36 of the Session Laws of 1883,

Which was read the first time.

Mr. Southwick introduced—

House Bill No. 286. A bill for an act to change the name of the village of Nordland, in Kingsbury county, Dakota, to that of Denver,

Which was read the first time.

Mr. Ward, of Turner, introduced—

House Bill No. 287. A bill for an act establish an independent school district in Turner county,

Which was read the first time.

Mr. Ward, of Turner, introduced—

House Bill No. 288. A bill for an act to establishing independent school district No. 1 in Turner county, Dakota,

Which was read the first time.

Mr. Bayard introduced—

House Bill No. 289. A bill for an act to establish the independent school district of Bridgewater and to provide for the organization and government of the same,

Which was read the first time.

Mr. Eldredge introduced—

House Bill No. 290. A bill for an act to incorporate the city of Big Stone City, Grant county, Dakota, and to create an independent school district,

Which was read the first time.

Mr. Stonfi introduced—

House Bill No. 291. A bill for an act to change and define the boundaries of the commissioners' districts in the county of Walsh and territory of Dakota,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 292. A bill for an act to authorize the issue of bonds for the purpose of making permanent improvements and furnishing the territorial penitentiary at Bismarck and for other purposes,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

Mr. Sprague moved

To suspend the rules, and that

The second reading of House Bills be by their title unless otherwise ordered,

Which motion prevailed.

House Bill No. 252. A bill for an act authorizing the county commissioners of Custer county to fund the outstanding indebtedness thereof.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 256. A bill for an act authorizing the board of trustees of the incorporated town of Ellendale to donate aid in building a flouring mill.

Read the second time and referred to the committee on Ways and Means.

House Bill No. 257. A bill for an act providing for a school board for the city of Lisbon and for other purposes.

Read the second time and referred to the committee on Education.

House Bill No. 258. A bill for an act to authorize the board of county commissioners of Union county to fund its outstanding indebtedness,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 260. A bill for an act to for the relief of Milton C. Connors.

Read the second time and referred to the committee on Judiciary.

House Bill No. 261. A bill for an act to enable the voters of LaMoure county to vote upon the location of county seat,

Read the second time and referred to the committee on Counties.

House Bill No. 262. A bill for an act to change the name of the village of Mina, in the county of Edmunds.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 263. A bill for an act to amend section 1,098 of the Civil Code.

Read the second time and referred to the committee on Judiciary.

House Bill No. 264. A bill for an act creating the county of Heart, and describing and defining the boundaries thereof,

Read the second time and referred to the committee on Counties.

House Bill No. 265. A bill for an act to repeal certain chapters of the Special Laws of 1867–68, 1868–69, 1870–71 and 1872–73, relating to Union county,

Read the second time and referred to the committee on Counties.

House Bill No. 266. A bill for an act to regulate the management of coal mines and mining.

Read the second time and referred to the committee on Mines and Mining.

House Bill No. 267. A bill for an act providing for a uniform system of text books for common and graded schools,

Read the second time and referred to the committee on Elections.

House Bill No. 268. A bill for an act abolishing the office of county assessor in certain counties, and creating the office of district assessor, and for other purposes,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 269. A bill for an act legalizing the acts of the commissioners of Dickey county in building a court house,

Read the second time and referred to the committee on Judiciary.

House Bill No. 273. A bill for an act creating a judicial sub-division of the sixth judicial district, and fixing the time for holding court therein,

Read the second time and referred to the committee on Judiciary.

House Bill No. 275. A bill for an act to prevent civil officers from entering into contracts with towns, townships, cities or the territory,

Read the second time and referred to the committee on Judiciary.

House Bill No. 276. A bill for an act to amend section 1,098 of the Civil Code,

Read the second time and referred to the committee on Judiciary.

Mr. Oliver moved

To suspend the rules and pass to the first reading of Council bills, and that

Substitute for

Council Bills Nos. 25 and 73

Be read the first and second times and referred to their appropriate committees.

Which motion prevailed, and

The bill was read the first and second times.

Mr. Steele moved

That Mr. Oliver be appointed a committee to have the bill printed to-night, and the bill was referred to the committee on Railroads,

Mr. Steele moved

To adjourn until to-morrow at 2 o'clock p. m.

Yeas and nays demanded.

The roll being called, there were 19 votes in the affirmative, and 27 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. DeWoody, Huntington, Hutchinson, Johnson, Langan, McCall, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Helvig, Larson, Myron, Miller, Martin, McCumber, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Hobart, Mr. Speaker.

So the motion to adjourn until to-morrow at 2 o'clock was lost.

THIRD READING OF HOUSE BILLS.

House Bill No. 196. A bill for an act to amend the charter of the city of Vermillion, and an act amending said charter, Was read the third time, and put upon its final passage.

The roll being called, there were 46 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Huston, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 215. A bill for an act authorizing the board of county commissioners of Aurora county to fund the outstanding indebtedness thereof,

Was read the third time and put upon its final passage.

The roll being called, there were 47 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Mr. Speaker not voting.

So the bill passed and its title was agreed to.

House Bill No. 195. A bill for an act to vacate portions of the townsite of Springfield, Bon Homme,

Was read the third time and put upon its final passage.

The roll being called, there were 47 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson,

DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Mr. Speaker not voting.

So the bill passed and its title was agreed to

House Bill No. 198. A bill for an act to amend section 414, Code of Civil Procedure.

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and 1 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Mr. DeWoody voting in the negative.

Absent and not voting:
Messrs. Larson and Mr. Speaker.

So the bill passed and its title was agreed to.

On motion of Mr. Roach
The rules were suspended, and
House Bill No. 285. A bill for an act to repeal chapter 36 of the Session Laws of 1883.

Was read the second and third time and put opon its final passage.

The roll being called there were 46 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward of Brule.

Absent and not voting:
Messrs. Johnson and Mr. Speaker.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 26, 1885.

MR. SPEAKER:

I transmit herewith
Council Bill No. 268. A bill for an act to repeal chapter 36 of the Special Laws of 1883.

Also,
Council Bill No. 200. A bill for an act to amend chapters 52 and 53 of the Laws of 1883.

Also,
Council Bill No. 180. A bill for an act to establish the independent school district of Brandon, in Minnehaha county, Dakota Territory.

Also,
Council Bill No. 250. A bill for an act to amend an act entitled an act to incorporate the village of Tower City,
All of which the Council have this day passed, and a concurrence of your honorable body is respectfully requested.

A. W. HOWARD,
Chief Clerk.

Mr. Johnson moved
That the House adjourn until 2 o'clock to-morrow.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FORTY-SIXTH DAY.

BISMARCK, Friday, February 27, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. DeWoody and McCumber absent at roll call, reported subsequently.

The reading of the Journal was dispensed with, and referred to the committee on Public Printing for correction.

PETITIONS AND COMMUNICATIONS.

Mr. Williams presented a petition in reference to the consideration of Hamlin and Coddington counties.

Which was referred to the committe on Counties.

Mr. Riddell presented certain petitions in reference to the organization of Brandon, Minnehaha county, as an independent school district.

Which was referred to the committee on Education.

Mr. Williams presented a petition praying for the division of Emmons county,

Which was referred to the committee on Counties.

REPORTS OF STANDING COMMITTEES.

BISMARCK, February 26, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No. 109,

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 75

Have had the same under consideration and recommend that it do pass.

Also,

Substitute for

Council Bill No. 61,

Have had the same under consideration, and beg leave to report the same back recommending that it do pass.

Also,

House Bill No. 253,

Have considered the same and recommend that it do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Warehouses, Grain Grading and Dealing and Agriculture, to whom was referred

House Bill No. 121,

Rdport the same back and recommend that it do pass.

W. F. STEELE,
Chairman.

MR. SPEAKER:

Your committee on Education to whom was referred

House Bill No. 241,

Have had the same under consideration, and beg leave to report the same favorably and recommend that the same do pass.

Also,

House Bill No. 174

With amendment and recommend that the same as amended do pass.

Also,

House Bill No. 68,

And recommend that the same be indefinitely postponed.

Also,

Council Bill No. 139,
And recommend that the same do pass.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee having examined.
House Bill No. 99,
Hereby return the same, recommending that it do pass.

GEO. H. JOHNSON,
Chairman.

MR. SPEAKER:

Your committee on Public Health have considered
House Bill No 238.
And recommend that it do pass.

H. H. RUGER,
Chairman.

MR. SPEAKER:

Your committee on Banks and Banking, to whom was referred

House Bill No. 245,

Have had the same under consideration, and report the same back with the recommendation that it do pass.

J. M. PUGH,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 243,

Have had the same under consideration and beg leave to report the same back with the recommendation that the same do not pass.

Also,
House Bill No. 172,
And recommend that the same do not pass.

S. E. STEBBINS,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 19,

Have considered the same and beg leave to report the same back to the House with the recommendation that it do pass.

Also,

House Bill No. 28,

Beg leave to report the same back to the House with the recommendation that it do pass.

Also,

House Bill No. 199,

Beg leave to report the same back to the House with the recommendation that it do pass.

E. HUNTINGTON,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 112,

A substitute entitled an act to amend section 9 of chapter 39 of the Political Code,

Adopted February 11,

Beg leave to report favorably and recommend its passage by this House.

Also,

House Bill No. 226,

A bill for an act to amend certain sections of chapter 39 of the Political Code,

And beg leave to report favorably and recommend that the bill do pass.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

Council Bill No. 175. A bill for an act to vacate the town of Denton, Sanborn county, Dakota,

Have considered the same and report it back and recommend its passage.

Also,

Council Bill No. 159. A bill for an act to amend an act to incorporate the city of Grand Forks.

Have considered the same, and report it back and recommend that it do passage.

Also,

House Bill No. 227. A bill for an act providing for changing the names of towns and villages,

Having had the same under consideration and report it back and recommend its passage.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 258. A bill for an act authorizing the board of county commissioners of Union county to fund the outstanding indebtedness thereof.

Have had the same under consideration and be leave to report the same back with the recommendation that it do pass.

E. B. DAWSON,
Chairman.

Mr. Larson asked

Unanimous consent to have the rules suspended and the bill read the third time and passed.

Which was granted.

House Bill No. 258. A bill for an act authorizing the county commissioners of Union county to fund its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan; McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Johnson, Pickler, Ruger, Southwick.

So the bill passed and its title was agreed to.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

House Bill No. 252. A bill for an act authorizing the board of county commissioners of Custer county to fund the outstanding indebtedness thereof,

Have had the same under consideration and beg leave to report it back and recommend that it do pass.

E. B. DAWSON,
Chairman.

Mr. Sprague moved

To suspend the rules, read the bill the third time and put it upon its final passage.

Which motion prevailed.

House Bill No. 252. A bill for an act authorizing the commissioners of Custer county to fund its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Hobart, Johnson, Ruger, Southwick.

So the bill passed and its title was agreed to.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

House Bill No. 268. A bill for an act to abolish the office of county assessor in certain counties and creating the office of district assessor and for other purposes.

Have had the same under consideration and report it back and recommend that it do pass.

Also,

House Bill No. 215. A bill for an act authorizing the board of county commissioners of Aurora county to fund the outstanding indebtedness thereof,

Have had the same under consideration, and report it back and recommend that it do pass.

Also,

House Bill No. 258. A bill for an act authorizing the county commissioners of Edmunds county to fund the outstanding indebtedness thereof, Have had the same under consideration, and report it back and recommend that it do pass.

Also,

House Bill No. 234. A bill for an act authorizing the board of trustees of the town of Plankinton, Aurora county, to fund the outstanding indebtedness thereof,

Have had the same under consideration, and report it back and recommend that it do pass.

E. B. DAWSON,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Barnes moved
To adopt the amendments proposed to
Council Bill No. 105.

Which motion prevailed.

Mr. Barnes also moved
To suspend the rules and read
Council Bill No. 105
A third time.

Which motion prevailed.

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake and Kingsbury counties,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore. Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McHugh, Parshall, Riddell, Ruger.

So the bill passed and its title was agreed to.

Mr. Van Osdel presented the following resolution:

WHEREAS, The people of this Territory are anxiously looking to and expecting this Legislature to use due diligence in passing laws in the interest of economy; and

WHEREAS, The opinion of this House is that there are a sufficient number of public institutions erected in this Territory or under construction, when completed, and appropriations made for their maintenance, to meet the wants of the people for the next two years; and

WHEREAS, Owing to the low prices of our products, the producers are financially depressed and unable to bear the burdens of high taxes; therefore,

Resolved, That the special committee to whom was referred the appropriation bills for the erection and construction of public buildings, are hereby instructed to bring in a report recommending that appropriation bills for the erection and construction of new institutions do not pass, and that they are also instructed to cut down the appropriations for the completion of and erection of additional buildings to those institutions already under construction, or constructed, to their lowest limit, after taking in consideration the actual need of such contemplated additional improvements.

Mr. Williams moved

To refer the resolution to the committee on Territorial Affairs.

The ayes and nays were demanded.

The roll being called, there were 31 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Mesrss. Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Myron, McCall, McCumber, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Swanton, Stebbins, Scott, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Hobart, Miller, Martin, Pickler, Riddell, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent, and not voting:

Messrs. Clark, Larson, Langan, McHugh, Southwick.

So the motion prevailed.

MESSAGES FROM THE COUNCIL.

BISMARCK, Feb. 24, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 155. A bill for an act to incorporate the city of Spearfish,

Which the Council passed on the 25th inst.

Also,

House Bill No. 25. A bill for an act to change the boundary lines of the county of Richland, and for other purposes,

Which the Council has amended as therein indicated and to which amendments your concurrence is respectfully requested.

Also,

Council Bill No. 239. A bill for an act to amend section 6 of chapter 19 of the Political Code.

Also,

Council Bill No. 235. A bill for an act entitled an act to amend sections 7 and 15 of chapter 39 of the Court Code.

Also,

Substitute for

Council Bills Nos. 25 and 73, and House Bill No. 8. Bills for an act to provide for the establishment of a board of railroad commissioners, defining their duties and to regulate the receiving and transportation of freight on railroads in this Territory.

Also,

Council Bill No. 179. A bill for an act to amend section 4 of chapter 3 of the Political Code, as amended by chapter 37 of the Laws of 1879.

Also,

Council Bill No. 151. A bill for an act establishing independent school dilsrict No. 3 for the city of Grafton, Walsh county, Dakota, and for other purposes.

Also,

Council Bill No. 245. A bill for an act to amend an act to establish a code of proceedings in courts of justices of the peace, and to limit the jurisdiction of the same.

Also,

Council Bill No. 230. A bill for an act to extend and connect certain streets in the town of Madison, Lake county, Dakota.

All of which the Council have passed, and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

BISMARCK, February 27, 1885.

MR. SPEAKER:

In compliance with the request of the House, I return herewith

Council Bill No. 105. A bill for an act to fund the outstanding indebtedness of Lake county, Dakota.

A. W. Howard,
Chief Clerk Council.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, February 27, 1885.

To the Speaker of the House of Representatives:

In compliance with the request of the signers, I present herewith a petition from the citizens and taxpayers of Pembina county for the consideration of the legislature.

GILBERT A. PIERCE,
Governor.

INTRODUCTION OF BILLS.

Mr. Helvig introduced—

House Bill No. 293. A bill for an act to amend section 54 of chapter 21 of the Revised Code,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 294. A bill for an act making appropriations for the current expenses of the Territorial penitentiary of Dakota at Bismarck,

Which was read the first time.

Mr. Hobart introduced—

House Bill No. 295. A bill for an act to provide that the question of issuing license for the sale of intoxicating liquors in Moody county, shall be submitted to a vote of the people,

Which was read the first time.

Also,

House Bill No. 296. A bill for an act to create and establish the county of Putnam,

Which was read the first time.

Mr. Martin introduced—

House Bill No. 297. A bill for an act supplementary to article 4, chapter 11 of the Code of Civil Procedure attachment,

Which was read the first time.

Mr. Blakemore introduced—

House Bill No. 298. A bill for an act entitled an act for providing for the erection of a court house and jail for Hyde county,

Which was read the first time.

Mr. McHugh introduced—

House Bill No. 299. A bill for an act creating the county of St. Pierre, and for other purposes,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 300. A bill for an act amending section 672, Political Code,

Which was read the first time.

Also,

House Bill No. 301. A bill for an act to amend section 3, chapter 31, and section 1, chapter 32 of the Session Laws of 1879, and section 18, chapter 39 of the Revised Code of 1877,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 270. A bill for an act authorizing the city of Bismarck, Dakota, to issue bonds for the purpose of retiring and refunding bonds heretofore issued for building and furnishing a school house,

Read the second time and referred to the committee on Judiciary.

House Bill No. 272. A bill for an act to create a county board of auditors and defining their duties,

Read the second time and referred to the committee on Judiciary.

House Bill No. 274. A bill for an act for the division of Morton county, and formation of the county of Carbon from the western part thereof,

Read the second time, and

On motion of Mr. Blakemore,

The further consideration of the bill was indefinitely postponed.

House Bill No. 277. A bill for an act amending section 15 of the Justices' Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 278. A bill for an act to protect buffalo, elk, prairie chicken, etc.,

Read the second time and referred to the committee on Judiciary.

House Bill No. 292. A bill for an act to authorize the issue of bonds for the purpose of making permanent improvements and furnishing the Territorial penitentiary of Dakota at Bismarck, and for other purposes,

Read the second time and referred to the committee on Appropriations.

THIRD READING OF HOUSE BILLS.

House Bill No. 222. A bill for a Joint Resolution asking for the opening of the Sisseton and Wahpeton Indian reservation,

Was read the third time and put upon its final passage.

The roll being called there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Ruger, Southwick, Smith.

So the bill passed and its title was agreed to.

House Bill No. 226. A bill for an act to amend certain sections of chapter 39 af the Political Code,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Huntington, Southwick, Smith.

So the bill passed and its title was agreed to.

House Bill No. 227. A bill for an act providing a method for changing the names of towns and villages,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Coe, DeWoody, Huntington, Johnson, Southwick, Smith.

So the bill passed and its title was agreed to.

House Bill No. 234. A bill for an act to fund the indebtedness of the town of Plankington,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Huntington, Johnson, Martin, Southwick.

So the bill passed and its title was agreed to.

House Bill No. 248. A bill for an act authorizing the county commissioners of Edmunds county to fund the outstanding indebtedness thereof,

Was read the third time and put upon its final passage.

The roll being called there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Gregg, Johnson, Southwick.

So the bill passed and its title was agreed to.

House Bill No. 268. A bill an act abolishing the office of county assessor in certain counties and creating the office of district assessors and for other purposes,

Was read the third time and referred to General Orders.

House Bill No. 68. A bill for an act entitled an act to amend chapter 36 of the Special Laws of 1883,

Was read the third time, and on motion of Mr. Williams was indefinitely postponed.

House Bill No. 245. A bill for an act concerning corporations and persons engaged in the business of banking,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hutchinson, Langan, Morgan, McHugh, Stewart.

Absent and not voting:

Messrs. Bayard, DeWoody, Gregg, Huntington, Johnson, Roach, Southwick, Stevens, Scott, Ward of Turner.

So the bill passed and its title was agreed to.

House Bill No. 241. A bill for an act to establish the independent school district of Grandview, in the county of Douglas, Territory of Dakota, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Langan, Southwick, Scott.

So the bill passed and its title was agreed to.

House Bill No. 238. A bill for an act to secure the public health and safety against unwholesome provisions,

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, .Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Riddell and Roach.

Absent and not voting:
Mr. DeWoody.

Mr. Riddell explaining his vote.

So the bill passed and its title was agreed to.

House Bill No. 28. A bill for an act for the assessment of levy and collection of taxes of property of railroad and telegraph companies,

Was read the third time and referred to the General Orders.

House Bill No. 199. A bill for an act relating to the discharge of railroad employes and payment of wages due,

Was read the third time and referred to the general orders.

House Bill No. 253. A bill for an act entitled an act to legalize the location of the county seat of Sanborn county,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. DeWoody, Parshall, Ruger, Swanton, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 99. A bill for an act to amend an act entitled an act to incorporate the city of Aberdeen,

Was read the third time, and
Mr. Johnson moved
The adoption of the amendments proposed.

Which motion prevailed.

The roll being called upon the final passage of the bill as amended, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Parshall, Pugh, Ruger, Swanton, Stebbins.

So the bill passed and its title was agreed to.

House Bill No. 243. A bill for an act for a joint resolution providing for the appointment of emigration agents, etc.,

Was read the third time, and

Mr. Martin moved

The adoption of the report of the committee, and that the bill be laid on the table.

Which motion prevailed.

House Bill No. 172. A bill for an act regulating the inspection of illuminating oils,

Was read the third time, and

On motion of Mr. Blakemore,

The report of the committee was adopted and the bill indefinitely postponed.

CONSIDERATION OF MESSAGES FROM THE COUNCIL.

Mr. Johnson moved

To concur in Council amendments to

House Bill No. 25.

Mr. Martin moved

As a substitute, to commit the bill to the committee on Counties.

Which motion prevailed.

Messrs. Langan and Huntington were excused for the remainder of the day.

The Speaker announced his signature to

House Bill No. 109.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of

House Bill No. 121,

The special order of the day, with

Mr. Pickler in the chair.

When the committee rose, the chairman reported that the committee recommended that the bill be recommitted to the committee on Agriculture and Grain Grading and Dealing.

Mr. Roach moved

To adopt the report of the committee.

Which motion prevailed.

The House concurred in the Council amendments to House Bills Nos. 76 and 87.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 16. A bill for an act relating to the exemption of volunteer firemen as jurors, and from paying poll tax in the Territory of Dakota,

Was read the first time.

Council Bill No. 211. A bill for an act amending section 237, Code of Civil Procedure,

Was read the first time.

Council Bill No. 216. A bill for an act to amend sections 2 and 6, chapter 1, charter of Grafton, etc.,

Was read the first time.

Council Bill No. 236. A bill for an act legalizing the acts of John P. Belding, late acting sheriff of Lawrence county, and for other purposes,

Was read the first time.

Council Bill No. 142. A bill for an act to amend section 1 of chapter 44 of the Special Laws of 1883,

Was read the first time.

Council Bill No. 204. A bill for an act incorporating the city of Mayville, Traill county, Dakota,

Was read the first time.

Council Bill No. 152. A bill for an act to promote the planting of forest trees upon the prairies of the Territory of Dakota,

Was read the first time.

Council Bill No. 181. A bill for an act entitled an act to allow boards of supervisors of townships to issue bonds.

Was read the first time.

Council Bill No. 213. A bill for an act to amend sections 25 and 26 of article 2 of the charter of the city of Jamestown, Dakota,

Was read the first time.

Council Bill No. 212. A bill for an act to empower school district No. 78, of Walsh county, Dakota, to issue bonds for school purposes.

Was read the first time.

Council Bill No. 227. A bill for an act to amend section 511 of the Code of Civil Procedure.

Was read the first time.

Council Bill No. 240. A bill for an act to authorize Lawrence county to issue bonds for the purpose of purchasing a location and erecting a jail and to provide for the payment of the same,

Was read the first time.

Council Bill No. 219. A bill for an act entitled an act authorizing and empowering the county commissioners of Towner county, Dakota, to fund the outstanding indebtedness of said county,

Was read the first time.

Council Bill No. 246. A bill for an act creating the county of Eddy, defining its boundaries and defining the boundaries of the county of Foster, and for other purposes,

Was read the first time.

Council Bill No. 238. A bill for an act to amend section 236 of the Code of Civil Procedure,

Was read the first time.

Council Bill No. 180. A bill for an act to establish the Independent School District of Brandon, in Minnehaha county, Dakota,

Was read the first time.

Council Bill No. 200. A bill for an act to amend chapters 52 and 53 of the Laws of 1883,

Was read the first time.

Council Bill No. 250. A bill for an act entitled an act to incorporate the village of Tower City,

Was read the first time.

Council Bill No. 268. A bill for an act entitled an act to repeal chapter 36 of the Special Laws of 1883,

Was read the first time.

Mr. Oliver moved

To suspend the rules, and that the bill be read the second and third times and put upon its final passage,

Which motion prevailed, and

The bill was then read the second and third times.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hobart, Helvig, Larson, Langan, Parshall:

So the bill passed and its title was agreed to.

Mr. Martin moved

To suspend the rules and that all the Council Bills read the first time pass to their second reading and be read by their title,

Which motion prevailed.

Mr. Oliver moved that

Council Bill No. 156

Be made a special order for to-morrow at 3 o'clock p. m.

Which motion prevailed.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 74. A bill for an act to locate and establish an asylum and school for the blind at the village of Milbank, in Grant county, Dakota Territory,

Read the second time and referred with the amendment of Mr. DeWoody to the committee on Appropriations.

Council Bill No. 115. A bill for an act to provide for a constitutional convention and the formation of a state constitution preparatory to the admission of Dakota into the Union, and for other purposes,

Read the second time and referred to the committee on Federal Relations.

Council Bill No. 120. A bill for an act to provide for contesting election for county officers and for the location of county seats, and for other purposes,

Read the second time and referred to the committee on Judiciary.

Substitute for
Council Bill No. 162. A bill for an act to provide for funding the indebtedness of Pottter county and for other purposes.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 168. A bill for an act changing the incorporate limits of the city of Redfield,

Read the second time and referred to the committee on Towns and Cities.

Substitute for
Council Bill No. 174. A bill for an act to provide for funding the indebtedness of Hughes county, Dakota,

Read the second time and referred to committee on Ways and Means.

Council Bill No. 178. A bill for an act to amend section 553 of the Code of Criminal Procedure of the Territory of Dakota,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 183. A bill for an act to repeal section 4 of chapter 99 of the Session Laws of 1881, and for other purposes,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 188. A bill for an act to enable cities and municipal corporations to purchase and construct water works, and for other purposes,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 195. A bill for an act fixing the fees for transporting convicts to the penitentiary, Read the second time and referred to the committee on Penal Institutions.

Council Bill No. 194. A bill for an act fixing the fees of sheriffs and other officers for transporting insane persons to the asylum of the territory,

Read the second time and referred to the committee on Charitable Institutions.

Council Bill No. 218. A bill for an act to provide for funding the indebtedness of Sully county,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 251. A bill for an act supplemental to an act entitled an act to enable the school districts of the counties of Barnes and Griggs to fund their indebtedness,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 16. A bill for an act relating to the exemption of volunteer firemen as jurors and from paying poll tax in the Territory of Dakota,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 211. A bill for an act amending section 237, Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 216. A bill for an act to amend sections 2 and 6, chapter 1, charter of Grafton, etc.,

Read the second time and referred to the committee on Town and Cities.

Council Bill No. 236. A bill for an act legalizing the acts of John P. Belding, late acting sheriff of Lawrence county, and for other purposes,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 142. A bill for an act to amend section 1 of chapter 44 of the Special Laws of 1883,

Read the second time and referred to the committee on Judiciary..

Council Bill No. 204. A bill for an act incorporating the city of Mayville, Traill county, Dakota, Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 152. A bill for an act to promote the planting of forest trees upon the prairies of the Territory of Dakota,

Read the second time and referred to the committee on Agriculture.

Council Bill No. 181. A bill for an act entitled an act to allow boards of supervisors of townships to issue bonds,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 213. A bill for an act to amend sections 25 and 26 of article 2 of the city charter of Jamestown, Dakota,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 212. A bill for an act to empower school district No. 78 of Walsh county, Dakota, to issue bonds for school purposes,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 227. A bill for an act to amend section 511 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 240. A bill for an act to authorize Lawrence county to issue bonds for the purpose of purchasing a location and erecting a jail and to provide for the payment of the same,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 219. A bill for an act entitled an act authorizing and empowering the county commissioners of Towner county, Dakota, to fund the outstanding indebtedness of said county,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 246. A bill for an act creating the county of Eddy, defining its boundaries and defining the boundaries of the county of Foster, and for other purposes,

Read the second time and referred to the committee on Counties.

Council Bill No. 238. A bill for an act to amend section 236 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 180. A bill for an act to establish the independent school district of Brandon, in Minnehaha county, Dakota,

Read the second time and referred to the committee on Education.

Council Bill No. 200. A bill for an act to amend chapters 52 and 53 of the Laws of 1883,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 250. A bill for an act entitled an act to incorporate the village of Tower City,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 268. A bill for an act entitled an act to repeal chapter 36 of the Special Laws of 1883,

Read the second time and referred to the committee on Judiciary.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 112. A bill for an act to amend section 9 of chapter 39 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. McCumber, Stebbins.

Absent and not voting:

Messrs. Bayard, DeWoody, Huntington, Langan, McHugh, Steele, Southwick, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 159. A bill for an act entitled an act to amend section 82 of article 7 of an act entitled an act to incorporate the city of Grand Forks,

Was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, DeWoody, Huntington, Helvig, Langan, McHugh, Steele, Southwick.

So the bill passed and its title was agreed to.

Council Bill No. 175. A bill for an act to vacate the town of Denton, Sanborn county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Huntington, Langan, McHugh, Steele, Southwick, Stewart.

So the bill passed and its title was agreed to.

Council Bill No. 19. A bill for an act to provide for the incorporation of street railway companies, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Johnson, Langan, Miller, Martin, Runkle, Ruger, Southwick Swanton, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Roach, by unanimous consent, moved

To take substitute bills Nos. 149 and 150 from the General Orders and put the same on their final passage,

Which motion prevailed.

Mr. McCumber moved

To recommit the bill to the committee on Towns and Cities,

Which motion was lost.

Mr. Roach moved

That the amendments to the bill reported by the committee be adopted.

Which motion prevailed.

Substitute for

Council Bills Nos. 149 and 150

Amending the charter of the city of Grafton,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 13 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Coe, Eldredge, Gregg, Hobart, Hutchinson, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Sprague, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Helvig, Johnson, Larson, Myron, Pugh, Smith, Stebbins, Scott, Stewart, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, DeWoody, Huntington, Huston, Langan, McCumber, Steele, Southwick.

So the bill passed and its title was agreed to.

Council Bill No. 75. A bill for an act creating the county of Marshall and defining the boundaries of Day county,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Helvig, Langan, Miller, McCumber, Runkle, Ruger, Southwick, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 66. A bill for an act to amend chapter 30 of the Code of Civil Procedure, revised 1877, of the Territory of Dakota, and making an annual appropriation to provide for the maintenance of the militia,

Was read the third time.

Mr. Martin moved

To refer the bill to general orders.

Which motion prevailed.

Mr. Pickler, by unanimous consent, introduced the following resolution:

Resolved, That the attorney general of the Territory be requested to submit an opinion to this House, as early as convenient, as to whether section 2 of chapter 217 (passed July 2, 1864) of United States statutes, would exclude from taxation the Northern Pacific Railway company under provisions of House Bill No. 28, introduced by Mr. Southwick, of Kingsbury county.

Which resolution was adopted.

Mr. Blakemore moved

That the House do now adjourn.

The ayes and nays were demanded.

The roll being called, there were 13 votes in the affirmative and 30 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Bayard, Blakemore, Hobart, Miller, Pickler, Pierce, Riddell, Roach, Ruger, Smith, Scott, Stong, Van Osdel.

Those who voted in the negative were:

Messrs. Barnes, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pugh, Runkle, Steele, Stevens, Swanton, Sprague, Stebbins, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McHugh, Southwick.

So the motion to adjourn was lost.

Call of the House demanded.

Mr. Pickler moved

That further proceedings under the call of the House be dispensed with.

Which motion was lost.

Same motion made subsequently and carried.

Mr. Pickler moved

To refer all appropriation bills reported this afternoon to the General Orders.

Mr. Scott moved

To adjourn.

Yeas and nays demanded.

The roll being called, there were 22 vote in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Stevens, Stebbins, Scott, Stewart, Stong, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Helvig, Hobart, Larson, Myron, Miller, Martin, Parshall, Pickler Pierce, Runkle, Riddell, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Huntington, Langan, Steele, Southwick.

So the motion to adjourn prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FORTY-SEVENTH DAY.

BISMARCK, Saturday, February 28, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,
The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Coe and Langan absent at roll call, reported subsequently.

The reading of the Journal was dispensed with, and referred to the committee on Public Printing for correction.

PETITIONS AND COMMUNICATIONS.

Mr. Riddell presented
Certain petitions against the annexation of certain territory to the independent school district of Dell Rapids,
Which was referred to the committee on Education.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 56,
Have considered the same and recommend that the appropriation be reduced to $13,600, and that the bill as amended do pass.

Also,
Council Bill No. 57,
Have considered the same and beg leave to report an

amendment that the appropriation do not exceed ten thousand dollars, and the bill as amended do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

A majority of your committee to whom was referred House Bill No. 244,

Beg leave to report the same back and recommend that it do pass.

P. MCHUGH.

MR. SPEAKER:

A minority of your committee to whom was referred House Bill No. 244,

Beg to report and recommend the same be placed in General Orders.

MARK WARD.

BISMARCK, February 28, 1885.

MR. SPEAKER:

A minority of your committee on Counties, to whom was referred

House Bill No. 244. A bill for an act to define the boundary lines of Monroe county, and for other purposes,

Beg leave to report that they have considered the same, and believe the same aught not to pass, and respectfully recommend that it be rejected by this House.

M. L. MILLER,
OLE A. HELVIG,
J. H. SWANTON.

BISMARCK, February 28, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bills Nos. 21, 85, 119, 137, 184 and 218

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 28th day of February, 1885, at 3 o'clock p. m., presented

House Bills Nos. 21, 85, 119, 137 and 184

To His Excellency, the Governor, for his signature and approval.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Indian Affairs have considered

House Bill No. 222. A bill for a Joint Resolution for the opening of the Wahpeton and Sisseton Indian reservation,

Respectfully recommend that the same do pass.

M. T. DEWOODY,
Chairman.

MESSAGES FROM THE COUNCIL.

BISMARCK, February 27, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 228. A bill for an act providing for a charter for the city of Wahpeton.

Also,

House Bill No. 161. A bill for an act to authorize the commissioners of Deuel county to fund the outstanding indebtedness thereof.

Also,

House Bill No. 137. A bill for an act to amend section 20 of chapter 39 of the Political Code, in relation to juror fees in justice court.

Also,

House Bill No. 85. A bill for an act authorizing county boards to purchase the Dakota justice court practice, civil and criminal, for justice of the peace.

Also,

House Bill No. 119. A bill for an act amending section 389, 390 and 416 of the Civil Code.

All of which the Council has passed.

Also,

House Bill No. 21. A bill for an act to amend certain sections of part 2, chapter 13 of the Code of Civil Procedure, subject, exemptions.

Which the Council has amended by striking out section 1 and numbering the succeeding sections, and to which your concurrence is respectfully requested.

Also,

House Bill No. 184. A bill for an act to provide shades for windows in the House not already provided therewith.

Also,

House Bill No. 30. A bill for an act to amend section 1 of chapter 85 of the Session Laws of 1883.

Also,

House Bill No. 146. A bill for an act to amend section 569 of the Civil Code.

Also,

House Bill No. 188. A bill for an act to amend section 72 of an act entitled an act incorporating the city of Deadwood.

Also,

House Bill No. 189. A bill for an act to amend subdivision 1 of section 12 of an act entitled an act incorporating the city of Deadwood.

Also,

House Bill No. 190. A bill for an act to repeal subdivision 2 of section 12 of an act entitled an act incorporating the city of Deadwood.

Also,

House Bill No. 192. A bill for an act authorizing the county of Fall River to construct a bridge over the Cheyenne river, and to issue bonds therefor,

Also,

House Bill No. 206. A bill for an act to amend an act entitled an act to annex certain territory to the Vermillion city school district, and for other purposes.

Also,

House Bill No. 221. A bill for an act authorizing the trustees of the city of Groton, county of Brown, to extend the time for the collection of taxes of the year 1884.

All of which the Council has passed.

Also,

House Bill No. 207. A bill for an act to prevent the sale of intoxicating liquors within three miles of the Dakota University, in the city of Vermillion, Dakota Territory, except for medicinal and mechanical purposes, to which the Council has made sundry amendments, as indicated therein.

Also,

Substitute for

Council Bill No. 45. A bill for an act to establish territorial and county boards of health, and providing for the protection of the health of persons and animals, which the

Council this day passed, and a concurrence by your honorable body is respectfully requested.

Also,

I transmit herewith for your consideration

Council Bill No. 189. A bill for an act to amend section 101 of the Code of Civil Procedure.

Also,

Council Bill No. 228. A bill for an act to provide for taking depositions in criminal cases.

Also,

Council Bill No. 229. A bill for an act establishing independent school district of Conova, Miner county, Dakota.

Also,

Council Bill No. 234. A bill for an act to fund the road and bridge indebtedness of Stutsman county, and providing for the issue and sale of bonds to pay the same.

Also,

Council Bill No. 243. A bill for an act to amend section 104 and to repeal section 106 of the Code of Civil Procedure of this Territory.

Also,

Council Bill No. 247. A bill for an act to amend an act entitled an act to incorporate the city of Canton.

Also,

Council Bill No. 253. A bill for an act authorizing and directing the county commissioners of Lawrence county to settle with and release the sureties upon the official bond of Robert Neill, formerly treasurer of said county, upon certain conditions.

Also,

Council Bill No. 260. A bill for an act supplemental to and explanatory of chapter 38 of the Political Code.

Also,

Council Bill No. 257. A bill for an act to amend an act providing a board of education for the city of Jamestown, Dakota, and regulating the management of the public schools therein.

Also,

Council Bill No. 265. A bill for an act to establish independent school district of Howard, Miner county, Dakota.

Also,

Council Bill No. 266. A bill for an act establishing independent school district of Gilman, Lake county, Dadota.

All of which the Council have passed, and your concurrence therein is respectfully requested.

I also return

House Bill No. 218. A bill for an act defining the boundaries of the Fourth judicial district, and fixing the time for holding court therein,

Which has this day passed the Council.

Also,

I herewith transmit

Council Bill No. 264. A bill for an act to authorize the board of county commissioners of Minnehaha, Miner, Lake and Kingsbury counties to aid certain persons whose crops were destroyed by storms.

Also,

Council Bill No. 254. A bill for an act to incorporate the city of Fairbanks,

Both of which the Council have passed, and a concurrence by your honorable body is respectfully requested.

A. W. HOWARD,
Chief Clerk.

Mr. Martin moved

To concur in the Council amendments to

House Bill No. 21,

Subject, Exemptions.

Which motion prevailed.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 70,

Have had the same under careful consideration, and would respectfully recommend, from the present necessities and probable future demands upon this school, that the bill do pass.

Also,

Council Bill No. 50,

And would respectfully recommend the following amendments, viz: That the words "twenty-five thousand dollars" be stricken from section 1 of the bill, and the words "sixteen thousand dollars" be inserted in lieu thereof. That the item fifteen thousand dollars for the building of the dormitory be reduced to twelve thousand dollars, and that the item appropriating two thousand dollars for a workshop be stricken out; that the item of four thousand dollars for purchasing a farm be stricken out. Also section 2 be amended by the following words: Provided that said bonds shall not be sold at less than par value, and the bill as amended do pass.

Also,
Council Bill No. 78,

And would recommend that the bill as amended in the Committee of the Whole do pass.

Also,
Council Bill No. 15,

And in view of the immediate necessities of more accommodation for unfortunates such as are therein provided for, recommend the appropriation be restricted to seventy thousand dollars, and the bill as amended do pass.

Also,
Substitute for
Council Bill No. 39,

Recommend the bill be amended by restricting the appropriation to sixteen thousand two hundred dollars, and the bill as amended do pass.

Also,
House Bill No. 158,

Have considered the same and recommend the bill be amended by restricting the appropriation to fifteen thousand dollars, and that the bill as amended do pass.

Also,
House Bill No. 60,

And recommend that it do pass, being amended by restricting the appropriation to four thousand dollars.

Also,
House Bill No. 73,

And recommend the bill be amended by making the appropriation eight thousand dollars, and that the bill do pass as amended.

MARK WARD,
Chairman.

Mr. Martin moved

That the minority report on
House Bill No. 244
Be adopted.

Mr. McCall moved

To amend by adopting the majority report.

Yeas and nays demanded.

The roll being called, there were 23 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, DeWoody, Eldredge, Huntington, Huston, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Southwick, Swanton, Smith, Spragne, Van Osdel, Ward of Turner.

Mr. Coe not voting.

So the motion to adopt the majority report was lost.

The ayes and nays were demanded on the adoption of the minority report.

A call of the House demanded.

Mr. Pickler moved

To dispense with further proceedings under the call.

Which motion prevailed.

The roll being called on the adoption of the minority report, there were 26 votes in the affirmative and 22 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Mr. Martin moved that

House Bill No. 244

Be indefinitely postponed.

Yeas and nays demanded.

Call of House demanded.

Mr. Martin moved

So dispense with further proceedings under the call.

Which motion prevailed.

The roll being called on the motion to indefinitely postpone, there were 25 votes in the affirmative and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

So the motion to indefinitely postpone prevailed.

Mr. Martin moved

To reconsider the vote by which the bill was indefinitely postponed, and lay the motion to reconsider on the table.

Yeas and nays demanded.

The roll being called, there were 25 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huston, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

So the motion to lay on the table was carried.

Mr. Blakemore moved

That all appropriation billi reported yesterday be referred to to the General orders for to-day.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a committee of the Whole House to consider the special order of the day,

With Mr. Williams in the chair.

When the committee rose the following report was made:

MR. SPEAKER:

Your committee have had under consideration

House Bill No. 239,

With amendments thereto reported by the committee on Judiciary and recommend that the amendments made by the Judiciary and the committee of the Whole be adopted and the bill as recommended to pass.

The committee reported progress and asked leave to sit again at 12 o'clock for the purpose of considering appropriation bills.

E. A. WILLIAMS,
Chairman.

Which report was adopted.

The Speaker announced the signing of

Council Bills Nos. 99, 11, 154, 135.

The motion to take informal recess was lost.

On motion of Mr. Williams

House Bill No. 239. A bill for an act providing for five commissioners in each county,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pierce, Ruger, Southwick, Stevens, Swanton, Sprague, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg, Huntington, Larson, Langan, Oliver, Parshall, Pugh, Roach, Scott.

Absent and not voting:

Messrs. Dawson, Runkle, Riddell, Steele, Smith, Stebbins, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Johnson was excused from further attendance during the day.

Mr. Oliver moved

That the House take an informal recess for half an hour.

Which motion prevailed.

The Speaker announced his signature to

House Bills Nos. 184, 137, 119, 85, 21,

A call of the House demanded.

Mr. Williams moved that

Council Bill No. 156

Be made the general order for Monday.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a

Committee of the Whole for the consideration of appropriation bills,

Mr. Roach in the chair.

When the committee rose, the following report was made by the chairman:

MR. SPEAKER:

Your committee of the Whole House have considered

Council Bill No. 78,

And recommend the passage of the bill as reported from the Council, and appropriate the sum of $24,000.

House Bill No. 158. A bill for an act to establish the Central Dakota University at Ordway, Dakota, together with the amendment proposed by the special committee of five, restricting the appropriation to $15,000, and recommend that the bill as so amended do pass.

Also,

Council Bill No. 70. A bill for an act appropriating funds for the Vermillion University, together with the report of the special committee of five, and recommend the adoption of the amendments proposed by Mr. Barnes, cutting the appropriation to $15,000, and that the bill when so amended do pass.

Then the committee rose.

After recess your committee considered

Council Bill No. 50,

Together with the report of the special committee of five, and recommend that the item of $4,000 for the purchase of a farm be stricken from the bill, and recommend that the report of the special committee reducing the appropriation to $16,000 be adopted, and that the bill when so amended do pass.

Also,

Council Bill No. 170,

And recommend the passage of the bill.

Also,

Council Bill No. 15. A bill for an act appropriating funds for the Jamestown asylum for the insane,

Together with the report of the special committee of five recommending an appropriation of $70,000 therefor, and recommend that the total appropriation be fixed at $40,000, and a special committee of three be appointed to scale the said amount and report the same.

Also,

Cuncil Bill No. 56. A bill for an act appropriating funds for the Madison Normal school,

And recommend that the item of $400 for improving grounds be stricken out, and that the bill when so amended do pass.

That the committee rise and recommend to the House that it receive the report of the special committee as to other bills and sit again to consider all the bills reported from said special committee.

WM. ROACH,
Chairman.

Mr. Barnes moved

To adopt the report of the Committee of the Whole.

Mr. Williams moved

To amend and to adopt the report save so much as relates to the School of Mines, and further moved to amend by committing the bill relating to the school fro mines to the special committee.

Which motion was ruled out of order.

And on the motion of Mr. Barnes to adopt the report

The roll being called, there were 20 votes in the affirmative, and 26 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Coe, Huston, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Messrs. DeWoody and Langan.
And so the motion to adopt the report was lost.

Mr. Williams moved
As a substitute motion that the consideration of the report of the committee of the Whole and the bills be considered as unfinished business Monday next.

The roll being called, there were 12 votes in the affirmative, and 35 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Coe, Hutchinson, McCall, McHugh, Oliver, Pugh, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCumber, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Mr. Langan not voting.

And so the motion was lost.

Mr. Oliver moved
That the House adjourn.

The ayes and nays demanded.

The roll being called, there were 18 votes in the affirmative, and 30 votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Coe, Huntington, Huston, Hutchinson, Johnson, Langan, McCall, McCumber, McHugh, Oliver, Pugh, Steele, Stevens, Stebbins, Scott, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

So the motion to adjourn was lost.

Mr. Williams moved

As a substitute motion that the report of the committee be accepted.

Mr. Pickler moved

The previous question.

Which motion prevailed.

Yeas and nays demanded on the motion for the previous question.

The roll being called, there were 38 votes in the affirmative and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Gregg, Hobart, Helvig, McHugh, Swanton, Mr. Speaker.

Mr. Langan being absent.

Mr. Barnes explaining his vote.

So the motion prevailed.

Mr. Martin moved

To adopt the report of the committee of the Whole.

Ayes and nays demanded.

The roll being called there were 31 votes in the affirmative and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stebbins, Van Osdel; Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Coe, DeWoody, Huston, Hutchinson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Steele, Stevens, Scott, Stewart, Stong, Williams.

So the motion prevailed.

Mr. Johnson moved
To adjourn.

The ayes and nays were demanded.

The roll being called, there were 21 votes in the affirmative, and 26 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Mr. Langan.

So the motion to adjourn was lost.

Mr. Martin moved
To adopt the report of the special committee on
Council Bill No. 57,
Relating to a school of mines.

Mr. Williams moved
To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 16 votes in the affirmative and 28 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Coe, DeWoody, Hutchinson, McCall, McCumber, Morgan, McHugh, Pugh, Ruger, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson,

Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Southwick, Swanton, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Langan, Oliver, Steele, Smith.

And so the motion was lost.

Mr. Martin withdrew the motion, and moved to amend Council Bill No. 57

By inserting $10,000 instead of $20,000 in the bill.

Mr. Williams moved

To recommit

Council Bill No. 57

To the special committee on appropriations.

Mr. Pickler moved

As a substitute to refer

Council Bill No. 57

To the Committee of the Whole for consideration with other appropriation bills.

Which motion prevailed, and

The original motion as amended was adopted.

The Speaker announced his signature to

House Bill No. 218.

Mr. Langan moved

That when this House adjourn, it adjourn to meet at 2 o'clock p. m. Monday.

Which motion prevailed.

Mr. Oliver moved

To adjourn.

The ayes and nays were demanded.

The roll being called there were 15 votes in the affirmative and 31 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Huston, Langan, McCall, McCumber, McHugh, Oliver, Pugh, Steele, Stevens, Stebbins, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stewart, Van Osdel, Ward, of Turner.

Absent and not voting:
Messrs. DeWoody and Johnson.

So the motion to adjourn was lost.

Mr. Southwick moved

To suspend the rules, and that the House proceed to the consideration of third reading of Council bills.

Which motion was lost.

Mr. Blakemore moved

To suspend the rules and proceed to the general orders.

Which motion was lost.

INTRODUCTION OF BILLS.

Mr. Stong introduced—

House Bill No. 302. A bill for an act to change the boundaries of Crystal and Park townships, in the county of Pembina,

Which was read the first time.

Mr. Hobart introduced—

House Bill No. 303. A bill for an act to authorize the village of Egan to issue bonds,

Which was read the first time.

Mr. Morgan introduced—

House Bill No. 304. A bill for an act making appropriations to pay Fred H. Lounsberry, Frank Armstrong and Henry Murphy for services as pages of the House,

Which was read the first time.

Mr. Roach introduced—

House Bill No. 305. A bill for an act to amend an act to incorporate the city of Larimore, Dakota Territory,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 306. A bill for an act to amend an act entitled an act to regulate the sale of intoxicating liquors,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 307. A bill for an act to amend section 726 of the Penal Code, relative to selling liquors to minors,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 279. A bill for an act appropriating money for the Territorial Board of Agriculture,

Read the second time and referred to the committee on Appropriations.

Mr. Pickler moved

To suspend the rules and dispense with the order of business and take up Order 15.

Which motion was lost.

Mr. McHugh moved
To adjourn.

Which motion was lost.

House Bill No. 280. A bill for an act to amend section 2, chapter 77 of Laws of 1881,

Read the second time and referred to the committee on Judiciary.

House Bill No. 281. A bill for an act to amend an act to incorporate the city of Chamberlain,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 282. A bill for an to act create the county of Washington and define its boundaries,

Read the second time and referred to the committee on Counties.

House Bill No. 283. A bill for an act creating the county of Eddy, defining its boundaries, etc.,

Read the second time and referred to the committee on Counties.

House Bill No. 284. A bill for an act to fund the indebtedness of Fort Ransom school township,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 286. A bill for an act to change the name of the village of Nordland, in Kingsbury county, Dakota, to that of Denver,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 288. A bill for an act to amend an act establishing independent school district No. 1, Turner county, Dakota Territory,

Read the second time and referred to the committee on Education.

House Bill No. 291. A bill for an act to change and define the boundaries of the commissioner districts in the county of Walsh,

Read the second time and referred to the committee on Judiciary.

Mr. Pickler moved
To suspend the rules and proceed to order of business No. 15.

Which motion prevailed.

Mr. Langan moved
To adjourn.

Yeas and nays were demanded.

The roll being called, there were 13 votes in the affirmative, and 30 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Stevens, Stebbins, Scott, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:
Messrs. Helvig, McCall, Riddell, Smith, Stong.

So the motion was lost.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a committee of the Whole

With Mr. Pickler in the chair.

When the committee rose the following report was made by the chairman:

MR. SPEAKER:

Your committee of the Whole have considered
House Bill No. 60,
Together with the report of the special committee on Appropriations and recommend the passage of the bill as amended by the special committee.
Also,

Substitute for
Council Bill No. 39,

Together with certain amendments by Mr. Myron, and recommend the adoption of the amendments and that the bill when so amended do pass.

Also,
House Bill No. 73,

Together with the report of the special committee reducing the appropriation to $8,000, and recommend the adoption of the amendment and the passage of the bill as so amended.

Also,
Council Bill No. 61. A bill for an act appropriating $45,000 to the agricultural college at Fargo, and recommend that the bill be amended by substituting $35,000 in lieu of $45,000, and that the bill when so amended do pass.

Also,
Council Bill No. 57. A bill for an act to establish a school of mines at Rapid City, together with the report of the special committee of five and recommend the substitution of $10,000 in lieu of $20,000, and that the bill when so amended do pass.

And further recommend that the House consider the appropriation bills passed upon by the committee of the Whole.

J. A. PICKLER,
Chairman.

Mr. Pickler moved
The adoption of the report.

Mr. Blakemore moved
To amend by adopting the report except so much as relates to
Council Bill No. 61,

Which motion prevailed.

Mr. Williams moved
To reconsider the vote by which the House adopted the report of the committee of the Whole, so far as it relates to the Jamestown insane asylum.
Which motion prevailed.
And also moved
That the report of the committee of the Whole excepting that relating to Jamestown insane asylum be adopted.
Which motion prevailed.

Mr. Blakemore moved to refer
Council Bill No. 15
To a special committee of three.

Mr. Williams moved
To amend by referring it back to the standing committee on Appropriations,

Which motion prevailed.

Mr. DeWoody moved
That the bills be taken up and acted upon in the order in which they were reported from the Committee of the Whole.

Which motion prevailed.

Council Bill No. 78. A bill for an act providing funds to pay the deficiency caused by the construction of the University of North Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 48 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 158. A bill for an act establishing the Central Dakota university at Ordway, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Myron, Miller, McCall, McCumber, McHugh, Oliver, Pickler, Pierce, Pugh, Roach, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Gregg, Helvig, Larson, Martin, Morgan, Parshall, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:
Messrs. Langan, Ruger.

So the bill passed and its title was agreed to.

Council Bill No. 70. A bill for an act appropriating funds for the University of Vermillion,

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Langan, Morgan, Ruger.

So the bill passed and its title amended by striking out dormitories from the title, and then agreed to.

Council Bill No. 50. A bill for an act providing funds for the construction of a dormitory and the completion of the building for the Dakota School of Deaf Mutes, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 47 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Mr. DeWoody.

So the bill passed and its title was agreed to.

Council Bill No. 170. A bill for an act providing funds to erect and furnish a main building for juvenile offenders, at Plankinton,

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Roach, Ruger, Steele, Smith, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Huntington, Helvig, Larson, Langan, Myron, McHugh, Runkle, Southwick, Swanton, Sprague, Van Osdel.

Absent and not voting:

Messrs. Riddell, Stevens.

So the bill passed and its title was agreed to.

Council Bill No. 56. A bill for an act appropriating funds for the completion and maintenance of the Territorial normal school at Madison, Dakota.

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. McHugh, Ruger, Stong.

Mr. Steele not voting.

So the bill passed and its title was amended by striking out the word "maintenance" and then agreed to.

House Bill No. 60. A bill for an act establishing the Dakota forestry institution,

Was read the third time and put upon its final passage.

The roll being called there were 27 votes in the affirmative, and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Steele, Stevens, Smith, Stebbins, Scott, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Helvig, Hutchinson, Larson, Myron, McHugh, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Sprague, Stong, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Langan, Parshall, Stewart, Ward of Turner.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 39. A bill for an act providing funds for completing the agricultural college at Brookings, etc.

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Those who voted in the negative were:

Messrs. McCall, McHugh, Stong.

Mr. Langan not voting.

So the bill passed and its title was agreed to.

House Bill No. 73. A bill for an act appropriating funds for the construction of a normal school at Minto, and for other purposes.

Was read the third time and put upon its final passage.

The roll being called, there were 22 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Johnson, McCumber, McHugh, Oliver, Pickler, Pugh, Steele, Smith, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Huntington, Helvig, Hutchinson, Larson, Myron, Martin, Parshall, Pierce, Runkle, Ruger, Southwick, Swanton, Sprague, Ward of Turner.

Absent and not voting:

Messrs. Dawson, Hobart, Langan, Miller, McCall, Morgan, Riddell, Roach, Stevens, Van Osdel, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 61. A bill for an act making appropriation for constructing and furnishing a building for the North Dakota College at Fargo,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative and 14 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Hutchinson, Johnson, Martin, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Steele, Stevens, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Huntington, Helvig, Larson, Langan, McHugh, Runkle, Riddell, Ruger, Swanton, Smith, Sprague, Stong, Van Osdel.

Absent and not voting:

Messrs. Gregg, Myron, Miller, McCall, Roach, Southwick, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 57. A bill for an act to locate, establish and endow a school of mines for the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler Pierce, Pugh, Riddell, Roach, Steele, Smith, Sprague, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Huntington, Huston, Hutchinson, Runkle, Ruger, Stebbins, Scott, Stong.

Absent and not voting:

Messrs. Barnes, Langan, Southwick, Stevens, Swanton, Stewart, Mr. Speaker.

Messrs. DeWoody, McCumber, McHugh and Steele explaining their votes.

So the bill passed and its title was agreed to.

Mr. Coe moved

To suspend the rules and allow the committee on Appropriations to make a report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Appropriations would report that they have had

Council Bill No. 15

Under consideration, and would recommend that the officers' residences do not exceed $4,000 in cost. Section of officers' building not to exceed $5,000. Laundry not to exceed $3,000. Barn not to exceed $3,000. And that the aggregate of said appropriation be $63,000.

J. A. PICKLER,
Chairman.

Mr. Blakemore moved

That the report of the committee be adopted.

Which motion prevailed.

Mr. Oliver moved

To reconsider the vote by which the report was adopted.

Which motion was lost.

Mr. Johnson moved

To adjourn.

Which motion was lost,

Council Bill No. 15. A bill for an act for the erection of additional buildings for the North Dakota Hospital for the Insane, and for other purposes,

Was then read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hutchinson, Langan, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Myron, Miller, Riddell, Southwick, Swanton, Smith, Sprague, Mr. Speaker.

Absent and not voting:

Messrs. Oliver and Van Osdel.

Mr. Miller explaining his vote.

So the bill passed and its title was agreed to.

Mr. Ward, of Turner, moved

To adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FORTY-NINTH DAY.

BISMARCK, Monday, March 2, 1885.

The House assembled at 2 o'clock p. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present.

The reading of the Journal was dispensed with, and referred to the committee on Public Printing for correction.

PETITIONS AND COMMUNICATIONS.

GLENULLIN, MORTON COUNTY, DAK., Feb. 25, 1885.

To the Honorabl eLegislature of the Territory of Dakota:

GENTLEMEN:

The undersigned, residents and taxpayers of the colony of Glenullin, in the county of Morton, Territory of Dakota, respectfully petition your honorable body to pass at this session of the Legislature an act abolishing the organization of the township of Glenullin, and for the following reasons:

The petition requesting the organization of said township was forwarded without the knowledge or approval of some colonists who had invested money here; that such organization was presumably sought by some to enable them to hold office, and thus live on the public pap, and that there was haste in requesting such organization is evidenced by the fact that the residents in said township, when organized, were so few that instances occur where one man is found holding several offices.

The result, as predicted by some, has proved that said organization has been an unspeakable burden upon the people; the taxes are so high as to be an outrage, and mostly go to pay salaries to a number of unnecessary officeholders, some of whom pay an exceedingly small amount of taxes.

The result will be an injury to Glenullin, and therefore to the colony, as men of means and sense are not likely to invest money to build up the town under such a state of municipal affairs, and the colony will suffer by the absence of those who would be likely to come here to settle if such a condition of things did not exist.

It is the truth to say that those—at least some of those—who have taken hold of the plow with energy to subdue the sod and help hasten the time when this portion of the country would "blossom as the rose," have been reduced to such a condition by outrageous taxation that they can not go ahead as they expected to do the coming season, as they will be unable to procure the seed required to enable them so to do, and some who expected to buy stock will require to do without such, at least for the present.

Other reasons could be truthfully added, but enough has been written to show why we send this petition.

We want this place built up and peopled, stocked and improved more than officeholders, who are unnecessary, and vote the people to be taxed for the benefit of their own pockets.

In conclusion, we earnestly beg that the petition of an overtaxed and outraged people, striving to live, but saddled with an unnecessary lot of officials, may be heard and their request granted.

Which was referred to the committee on Towns and Cities.

WOONSOCKET, Dak., Feb. 24, 1885.

To the Honorable Body, the House of Representatives of the Territory of Dakota:

GENTLEMEN.—I wish to call your attention to the necessity of an appointment of a clerk for the Territorial Superintendent of Public Instruction. The Territorial Superintendent is unable to attend to all the communications addressed to him for advice.

Respectfully,
P. F. MEYER,
County Superintendent of Schools.

Which was referred to the committee on Education.

MALDEN, Mass., Feb. 22, 1885.

To the Clerk of the Dakota Legislative Assembly:

DEAR SIR,—At the recent convention of the National Woman Suffrage Association of Massachusetts, the following resolution was unanimously adopted:

Resolved, That we congratulate the Assembly of Dakota upon the recent passage of the Woman's Suffrage bill, and beg to assure its Council that, with the bill enacted, Dakota, when admitted as a state, will be the first true Republic state in the Federal Union.

Very Respectfully,
HARRIET H. ROBINSON.

Which was referred to committee on Towns and Cities.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 246,
Have had the same under careful consideration and re-

port a substitute therefor, and recommend that the bill do pass.

MARK WARD,
Chairman.

BISMARCK, March 2, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment beg leave to report that we have this 2d day of March, 1885, at 3 o'clock p. m., presented

House Bills Nos. 30, 161, 206 and 218,

To His Excellency, the Governor, for his signature and approval.

Also,

House Bill No. 155,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 76, 146, 188, 189, 190, 192 and 221,

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

BISMARCK, March 2, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 250. A bill for an act to amend section 229 of the Code of Civil Procedure,

And beg leave to report unfavorably and recommend that the said bill be indefinitely postponed.

E. W. MARTIM,
Chairman.

Mr. Sprague moved

To adopt the report of the committee.

Which motion prevailed.

BISMARCK, March 2, 1885.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

House Bill No. 284. A bill for an act to fund the indebtedness of Fort Ransom school township, of Ransom county, Dakota Territory, Have had the same under consideration, and report it back amended, and recommend it do pass as amended.

E. B. DAWSON,
Chairman.

Mr. Oliver moved

That the report of the committee be adopted.

Which motion prevailed.

BISMARCK, March 2, 1885.

MR. SPEAKER:

Your committee on Judiciary return herewith

Substitute for

Council Bill No. 142. A bill for an act to amend section 1 of chapter 44 of the Special Laws of 1883,

And recommend that the said bill be referred to the committee on Agriculture.

Also,

House Bill No. 259. A bill for an act authorizing counties to give a bounty for wolf and fox scalps,

And recommend that the same be referred to committee on Agriculture.

E. W. MARTIN,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Swanton introduced the following:

Resolved, By the House of Representatives of the Sixteenth Legislative Assembly of the Territory of Dakota, that this House shall receive no new business for consideration on and after March 9th, 1885, except by unanimous consent.

Mr. Oliver moved

That the resolution be laid on the table.

Which motion prevailed.

Mr. Myron introduced the following resolution:

WHEREAS, There is but a short time left of this session, and

WHEREAS, There are so many bills before us that have not as yet been considered, be it therefore

Resolved, That there shall be no bills introduced after the 9th day of March, 1885, except by unanimous consent.

Mr. Oliver moved

To lay the resolution on the table.

Which motion prevailed.

Mr. Martin introduced the following resolution:

Resolved, That committees hereafter shall meet pursuant to call of the chairman, and it shall be necessary to give notice thereof from the clerk's desk in the House.

Which resolution was adopted.

Mr. Bayard introduced the following resolution:

Resolved, That all privileges and admission cards heretofore granted are hereby revoked, and that the privilege of the floor be not hereafter granted to private individuals by request; that parties entitled to the floor under rule 44 and not known to the door-keeper shall be identified by some member; and that reporters for newspapers shall apply only to the regular reporters who have been in attendance during the session. Providing, This shall not apply to ladies.

Which resolution was adopted.

Mr. Scott moved

To reconsider the vote by which the resolution was adopted.

Which motion was lost.

Mr. Southwick moved

That the opinion of the attorney general in reference to taxation of Northern Pacific railway be printed and laid on the desks of the members.

Mr. McCumber moved

To amend, and that 1,000 copies be printed.

Which amendment was adopted, and the original motion as amended prevailed.

INTRODUCTION OF BILLS.

Mr. Williams introduced—

House Bill No. 308. A bill for an act to amend an act entitled an act to fund the indebtedness of the counties of Moody, Brookings, Burleigh and Grand Forks, passed at the Thirteenth session of the Legislative Assembly of the Territory of Dakota,

Which was read the first time.

Mr. Blakemore introduced—

House Bill No. 309. A bill for an act entitled an act incorporating the village of Woonsocket, Dakota Territory,

Which was read the first time.

Also,

House Bill No. 310. A bill for a Joint Resolution to provide for the payment of the printing and binding of the Council and House Journals for the Sixteenth Session, Legislative Assembly,

Which was read the first time.

Mr. Myron introduced—

House Bill No. 311. A bill for an act to repeal chapter 46 of the Session Laws of 1883, entitled assistant superintendent.

Which was read the first time.

Mr. Huntington introduced—

House Bill No. 312. A bill for an act to promote the construction of the Sioux Falls, Fairbanks & Western railroad.

Which was read the first time.

Mr. DeWoody introduced—

House Bill No. 313. A bill for an act to legalize the acts of the president and trustees of the town of Spink, and to provide means of protection against loss by fire.

Which was read the first time,

Mr. Stewart introduced—

House Bill No. 314. A bill for an act to authorize the board of county commissioners of Walsh county, Dakota, to purchase a poor farm, and for other purposes.

Which was read the first time.

Mr. Larson introduced—

House Bill No. 315. A bill for an act to amend the charter of the city of Elk Point, Union county.

Which was read the first time.

Mr. McCall introduced—

House Bill No. 316. A bill for an act to amend section 32 of chapter 28 of Political Code, revenue.

Which was read the first time.

Mr. Larson introduced—

House Bill No. 317. A bill for an act to prevent changes in the boundary line of organized counties.

Which was read the first time.

Mr. Larson introduced—

House Bill No. 318. A bill for an act to provide for the return of patients from the hospital of the insane to their homes.

Which was read the first time.

Mr. Pugh introduced—

House Bill No. 319. A bill for an act to amend chapter 99 of the General Laws of Dakota Territory, passed in the year 1883, entitled an act for the levy and collection of taxes upon the property of railroad companies in this territory.

Which was read the first time.

Mr. McHugh introduced—

House Bill No. 320. A bill for an act entitled an act authorizing and empowering the county commissioners of Cavalier county, Dakota Territory, to fund the outstanding indebtedness of said county.

Which was read the first time.

Mr. Blakemore introduced—

House Bill No. 321. A bill for an act entitled an act to provide for the publication of laws in the several newspapers of the territory.

Which was read the first time.

Mr. Smith introduced—

House Bill No. 322. A bill for an act establishing a Territorial Horticultural and Forestry association, and defining the duties of its officers,

Which was read the first time.

Mr. Swanton introduced—

House Bill No. 323. A bill for an act to establish independent school district No. 2, Oak Hollow, Hutchinson county, Dakota Territory, and for other purposes,

Which was read the first time.

Mr. Coe introduced—

House Bill No. 324. A bill for an act to vacate that portion of Helmsworth & McLean's addition to the city of Mandan, lying south of the main track of the Northern Pacific railroad,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 325. A bill for an act for the more effectual protection of game in the county of Burleigh, Territory of Dakota,

Which was read the first time.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 2, 1885.

To the Speaker of the House of Representatives:

I have the honor to transmit herewith
House Bill No. 218,
The same having received my approval.
Also,
House Bill No. 109. A bill for an act to establish a portion of the school township of Denver, in Kingsbury county.
Also,
House Bill No. 21. A bill for an act to amend certain sections of part 2, chapter 13 of the Code of Civil Procedure, subject, exemption.

Also,
House Bill No. 119. A bill for an act amending sections 389, 390 and 416 of the Civil Code.

Also,
House Bill No. 137. A bill for an act to amend section 20 of chapter 39 of the Political Code.

Also,
House Bill No. 184. A bill for an act to provide shades for windows in the House not already provided therewith.

GILBERT A. PIERCE,
Governor.

The Speaker announced his signature to
House Bills Nos. 30, 161 and 206.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 2, 1885.

MR. SPEAKER:

I herewith transmit
Council Bill No. 217. A bill for an act to amend section 4 of the act entitled an act providing for the erection of a court house and jail for Walsh county, Dakota.

Also,
Council Bill No. 244. A bill for an act to define the boundaries of the county of McLean.

Also,

Council Bill No. 269. A bill for an act to vacate certain portions of Cooper's addition to the city of Grafton.

Also,

Council Bill No. 282. A bill for an act to revise and amend the charter of the city of Bismarck.

Also,

Council Bill No. 283. A bill for an act to amend the charter of the city of Casselton.

Also,

Council. Bill No. 225. A bill for an act to improve the public school system of the city of Pierre.

All of which the Council have passed and to which your concurrence is respectfully requested.

Also,

House Bill No. 196. A bill for an act to amend the charter of the city of Vermillion, and an act amending said charter.

Also,

House Bill No. 234. A bill for an act to fund the indebtedness of the town of Plankinton, Aurora county.

Also,

House Bill No. 253. A bill for an act entitled an act to legalize the location of the county seat of Sanborn county.

All of which the Council have passed without amendment.

Very Respectfully,
A. W. Howard,
Chief Clerk.

BISMARCK, March 2, 1885.

MR. SPEAKER:

I transmit herewith

Council Bill No. 293. A bill for a memorial to Congress praying that General Grant be placed on the retired list, which the Council passed this day and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

Mr. Williams moved

To suspend the rules, and that

Council Bill No. 293

Be read the first, second and third times and put upon its final passage.

Which motion prevailed.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Gregg, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Dawson, Eldredge, Huntington, Helvig, Langan, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Steele moved

That the vote by which the bill passed be appended to the bill when transmitted.

Which motion prevailed.

BISMARCK, March 2, 1885.

MR. SPEAKER:

I am requested by the Council to ask the House to kindly return to that body

Council Bill No. 250. A bill for an act to amend an act entitled an act to incorporate the village of Tower city.

Very Respectfully,

A. W. HOWARD,
Chief Clerk.

Mr. Williams moved

To grant the request of the Council.

Which motion prevailed.

Mr. Martin moved

That the committee on Towns and Cities be requested to report the bill to the House.

Which motion was lost.

Mr. Oliver moved

To reconsider the vote by which the request of the Council was granted.

Which motion prevailed.

Mr. McCumber moved

That the clerk be instructed to inform the Council that

Council Bill No. 250

Is in the hands of the committee on Towns and Cities and not in possession of the House.

Yeas and nays demanded.

The roll being called, there were 34 votes in the affirmative; and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Steele, Southwick, Stevens, Smith, Stebbins, Scott, Stong, Ward of Brule.

Those who voted in the negative were:

Messrs. Martin, McHugh, Roach, Swanton, Sprague, Stewart, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Gregg, Pickler, Ruger, Van Osdel.

So the motion prevailed.

Mr. Ward, of Turner, moved that

Council Bill No. 114

Be taken from the General Orders, and that the report of the committee be adopted.

Which motion prevailed.

Mr. Williams, by unanimous consent, introduced

House Bill No. 308. A bill for an act amending an act to fund the indebtedness of the counties of Moody, Brookings, Burleigh and Grand Forks.

Which was read the first time.

The rules suspended, and the bill read the second and third times, and placed on its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Eldredge, Gregg, Stebbins.

So the bill passed and its title was agreed to.

Mr. Blakemore moved
To suspend the rules, give
House Bill No. 309
Its second reading and reference.

Which motion prevailed.

Mr. DeWoody moved
That the rules be suspended, that
House Bill No. 313
Be read the second and third time and put upon its final passage.

Which motion was lost.

Mr. Stewart moved
To suspend the rules, and that
House Bill No. 314
Be read the second time.

Which motion prevailed.

House Bill No. 314. A bill for an act authorizing the county commissioners of Walsh county to purchase a poor farm,

Read the second time and referred to the committee on Counties.

Mr. DeWoody moved
To suspend the rules, and that
House Bill No. 313. A bill for an act to legalize the acts of the president and trustees of the town of Ipswich,
Be read the second time and referred.

Which motion prevailed.

House Bill No. 313

Read the second time and referred to the committee on Judiciary.

Mr. Martin moved
That the amendments to the appropriation bills passed on Saturday be read.

Mr. McCumber moved
To amend by referring them to the Enrolling and Engrossing committee.
Which motion prevailed.
Mr. Martin moved

To reconsider the vote by which the motion was adopted.

Which motion prevailed, and
The original motion was lost.

Mr. Martin moved
That the clerk now proceed to read the amendments to the appropriation bills.

Which motion prevailed, and

The bills were read and the amendments considered and accepted as read, and attached to the bills to be referred to the Council.

Mr. Martin moved
That the clerk be instructed to transmit the appropriation bills to the Council during its session to-day.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE COUNCIL.

Mr. Myron moved
To concur in the Council amendments to
House Bill No. 207.

Which motion prevailed.

Mr. McHugh moved
To suspend the rules, read
Council Bill No. 151. A bill for an act to establish independent school district No. 3, Grafton, Walsh county, and for other purposes,

Be read the first, second and third time and put the same upon its final passage.

Which motion prevailed.

And the bill was read the first, second and third time and put upon its final passage.

The roll being called there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Langan, Martin, McCall, Pickler, Steele.

Mr. Sprague was excused from voting.

So the bill passed and its title was agreed to.

Council Bill No. 114. A bill for an act providing for the removal and location of the county seat of Bon Homme county,

Was by unanimous consent

Read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Spragne, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner. Williams, Ward of Brule, Mr. Speaker.

Mr. Morgan voting in the negative.

Absent and not voting:

Messrs. Dawson, DeWoody, Pugh, Stong.

So the bill passed and its title was agreed to.

Mr. Ruger moved

The rules be suspended, and that

Substitute for

House Bill No. 246

Be taken from the general orders,

Be read the first, second and third time and put upon its final passage.

Which motion prevailed,

And the bill was so read.

The roll being called upon the final passage of the bill there were 35 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron and Van Osdel.

Absent and not voting:

Messrs. Dawson, DeWoody, Gregg, Huntington, McCumber, Runkle, Steele, Stevens, Stong, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of the special order, viz:

Council Bill No. 156,

With Mr. Barnes in the chair.

When the committee arose, the chairman made the following report:

MR. SPEAKER:

Your committee have had under consideration

Council Bill No. 156,

Together with the report of the committee on Insurance, and recommend the adoption of the report of the committee on Insurance, so far as sections 1 to 11 inclusive are concerned, except that section 7 be further amended as follows: By striking out the words "and it shall be lawful for any company doing business in this Territory," and inserting instead the following: "And it shall be lawful for any company now or hereafter doing business in this Territory."

And further recommend that the further consideration of the bill be made a special order for to-morrow at 3 o'clock p. m.

V. V. BARNES,
Chairman.

Mr. Miller moved

The adoption of the report.

Which motion prevailed.

Mr. Eldredge asked unanimous consent to have

House Bill No. 290. A bill for an act to incorporate the city of Big Stone City,

Read the second time and referred to the Appropriation committee.

Which motion prevailed,
And the bill was
Read the second time and referred to the committee on Towns and Cities.

Mr. Eldredge also, by unanimous consent, introduced—
House Bill No. 326. A bill for a memorial to Congress for an appropriation to open navigation between Big Stone lake and the Red river,

Which was read the first time,
And by unanimous consent the bill was
Read the second and third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and 1 vote in the negative, viz.:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. McCall voting in the negative.

Absent and not voting:
Messrs. Coe, Johnson, Sprague, Stewart.

So the bill passed and its title was agreed to.

The Speaker announced his signature to
House Bills Nos. 221, 190, 188, 192, 189, 146, 87, 155.

By unanimous consent,
The House returned to consideration of first reading of Council bills, and
Council Bill No. 282. A bill for an act to revise and amend the charter of the city of Bismarck,
Was read the second time and referred to the Public Printer to be printed.

Mr. Oliver moved
To adjourn.

Which motion prevailed.
Adjourned.

C. M. REED,
Chief Clerk House.

FIFTIETH DAY.

BISMARCK, Tuesday, March 3, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Mr. Coe absent, who subsequently reported present.

The reading of the Journal was dispensed with and referred to the committee on Public Printing for correction.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 3, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No. 7,

Beg leave to report the same back as correctly engrossed.

Also,

House Bill No. 196,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 3d day of March, 1885, at 3:15 o'clock p. m., presented

House Bills Nos. 87, 146, 155, 188, 189, 190, 192, and 221,

To his Excellency, the Governor, for his signature and approval.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Mines and Mining, to whom was referred

House Bill No. 130. A bill for an act to enable counties, townships and municipal corporations to aid in the construction of irrigating ditches, and the colonization and improvement of lands in connection therewith.

Beg leave to report that they have had the same under consideration, and report the same back with the recommendation that it do not pass.

H. M. GREGG,
Chairman.

BISMARCK, March 3, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 209. A bill for an act to amend section 759 of the Penal Code relating to terms of imprisonment,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 224. A bill for an act to authorize the Lenham elevator and lumber company, a corporation, to change its name.

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 225. A bill for an act to amend paragraph 1 of section 1,970 of the Civil Code.

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

Council Bill No. 250. A bill for an act to amend an act to incorporate the village of Tower City.

Have had the same under consideration and report same back and recommend that it be indefinitely postponed, as the bill does not recommend the section intended.

M. L. MILLER,
Chairman.

Mr. Pickler moved

The adoption of the report.

Which motion prevailed.

Mr. Williams moved

To adopt the report of the committee on Appropriations as to

House Bill No. 292.

Which motion prevailed.

Mr. Ward, of Brule, moved

To adopt the report of the committee on

House Bill No. 201,

Which motion was lost.

The Speaker called Mr. Pickler to the chair.

Call of the House demanded.

At 140 p. m. the Sergeant-at-Arms reported the absent member from Morton county.

A call of the House was demanded.

The Sergeant-at-Arms reported all members present.

Mr. Pickler moved

The House take a recess of half an hour.

Which motion prevailed.

The Speaker announced his signature to

House Bill No. 196.

Mr. Miller called to the chair.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 3, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 30. A bill for an act to amend section 1 of chapter 85 of the Session Laws of 1883, concerning live stock.

Also,

House Bill No. 161. A bill for an act to authorize the commissioners of Deuel county to fund the outstanding indebtedness thereof.

Also,

House Bill No. 206. A bill for an act to amend an act entitled an act to annex certain territory to the Vermillion city school district, and for other purposes.

GILBERT A. PIERCE,
Governor.

Mr. Van Osdel moved that
House Bill No. 201,
Together with the committee's report, be referred to the General Orders for Saturday.

Mr. Ward, of Brule, moved
To lay the motion on the table, so far as it refers the bill to General Orders.

Yeas and nays demanded.

The roll being called, there were 22 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hobart, Hutchinson, Johnson, McCall, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Larson, Langan, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Stewart, Van Osdel, Ward, of Turner, Mr. Speaker.

Messrs. Helvig and McCumber not voting.

So the motion was lost.

Mr. Williams moved
As a substitute motion that it be referred to the General Orders for to-morrow.

Yeas and nays demanded.

The roll being called, there were 26 votes in the affirmative and 22 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hobart, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott. Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Helvig, Larson, Langan, Myron, Miller, Martin, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Odel, Ward of Turner, Mr. Speaker.

So the motion prevailed.

The Speaker announced his signature to

Council Bills Nos. 117, 112, 159, 175, 184, 149, 150, 97, 75, 19, 268, 105.

Mr. Blakemore moved

That the special order for this afternoon be postponed and made the special order for to-morrow afternoon.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Ward, of Brule, introduced—

The following resolution:

To the Honorable Speaker and the House of Representatives of the Territory of Dakota:

SIRS—It has come to my knowledge that W. S. Wells and V. P. Prentis, of the city of Pierre, Dakota, have made to members of this house corrupt propositions, hoping to influence their votes on the bill pending in this house to remove the capital of Dakota from the city of Bismarck to the city of Pierre, and that they have paid money to members of this house, expecting as a result of such payment that such members would vote in favor of the removal of the capital to the city of Pierre.

I therefore move that a committee of five members of this house be appointed by the honorable Speaker with power to investigate fully the charges of corruption hereby preferred. That said committee, when so appointed, be and are hereby clothed with full power to subpœna witnesses, books and papers. and examine persons on oath touching any matter or thing necessary to further said investigation in the interests of truth and the dignity of this house.

That the sergeant-at-arms of this house be and is hereby instructed to and ordered to serve all subpœnas, papers or orders of any name and nature issued by said committee, with like full power to take the bodies of all persons desired before said committee, and when ordered by said committee, to take into his custody any and all persons and to bring their bodies before the bar of this house to be dealt with according to law, full power and authority being hereby conferred on said committee to punish witnesses for contempt, either in the disobedience of the subpœna of said committee or for failure or refusal to answer questions or produce books and papers, and that said committee be instructed to proceed at once with said investigation.

MARK WARD,

Mr. Pickler moved
To refer it to the general order.

The previous question was moved.

The ayes and nays were demanded.

The roll being called, there were 25 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:
Messrs. Clark, Coe, DeWoody, Huston, Hutchinson, Langan, McCumber, Morgan. McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

So the motion for the previous question prevailed.

Yeas and nays demanded on the motion to refer the resolution to General Orders.

The roll being called, there were 23 votes in the affirmative, and 25 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:
Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

So the motion was lost.

Yeas and nays were demanded on the adoption of the resolution.

The roll being called there were 40 votes in the affirmative and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Helvig, Hutchinson, Johnson, Langan, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott. Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Dawson, Gregg, Hobart, Larson, Myron, Parshall, Riddell.

And so the resolution was adopted.

Messrs. Runkle, Morgan and Roack introduced the following:

BISMARCK, March 3, 1885.

In commemoration of the inauguration Grover Cleveland as President of the United States, and in fealty to the national government, whose ward we are, be it

Resolved, By the House of Representatives that when this body adjourns it adjourn to meet on March 5, 1885, at 10 o'clock a. m.

P. L. RUNKLE,
C. W. MORGAN,
W. N. ROACH,

Yeas and nays demanded on the passage of the resolution.

The roll being called there were 13 votes in the affirmative and 33 votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Eldredge, Gregg, Hutchinson, Johnson, Langan, Morgan, Oliver, Pickler, Pierce, Runkle, Roach, Stewart, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Huntington, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pugh, Riddell, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Stevens and Stong.

Mr. Blakemore explaining his vote.

Mr. Martin introduced the following:

BISMARCK, March 3, 1885.

MR. SPEAKER:

Resolved, That during this day's session no member shall speak more than ten minutes upon any bill, motion, resolution or other matter before the House.

Which resolution was adopted.

Mr. Blakemore moved

That the majority report of the select committee to whom was referred

House Bill No. 7. A bill for an act to relocate the capital of Dakota Territory, together with amendments and recommendations,

Be accepted and adopted.

Mr. Williams moved

As a substitute motion, that the further consideration of the bill, and the reports thereon, be indefinitely postponed.

A call of the House demanded.

Mr. Martin moved

To lay the motion to indefinitely postpone on the table.

The ayes and nays were demanded.

The roll being called there were 25 votes in the affirmative and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

So the motion prevailed.

Mr. Blakemore moved

The previous question on the adoption of the report.

Which motion prevailed.

The ayes and nays were demanded on the main question.

The roll being called, there were 25 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

So the motion prevailed and the report adopted.

INTRODUCTION OF BILLS.

Mr. Ward, of Turner, introduced—

House Bill No. 327. A bill for an act to provide for the bonding of the outstanding indebtedness of Marion school township in Turner county, Dakota Territory,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 328. A bill for an act to prohibit the manufacture and sale of intoxicating liquors, and providing conditionally for local options,

Which was read the first time.

Mr. Huston introduced—

House Bill No. 329. A bill for an act to establish an independent school district in Harrison, Douglas county, Dakota Territory,

Which was read the first time.

Mr. Morgan introduced—

House Bill No. 330. A bill for an act to exempt from assessment for taxation all lands taken for public highways,

Which was read the first time.

Mr. Johnson introduced—

House Bill No. 331. A bill for an act to change the name of certain persons,

Which was read the first time.

Mr. Huston introduced—

House Bill No. 332. A bill for an act to provide for the formation of school districts, and for other purposes,

Which was read the first time.

Mr. Swanton introduced—

House Bill No. 333. A bill for an act to vacate Cherry street, in the town of Menno, in Hutchinson county, Dakota Territory,

Which was read the first time.

Mr. Swanton introduced—

House Bill No. 334. A bill for an act for the relief of labor, material and men who did work and furnished material on the Capitol building,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 335. A bill for an act to amend the charter of the city of Lisbon, and for other purposes,

Which was read the first time.

Mr. Oliver introduced—

House Bill No. 336. A bill for an act to change the name of Andreas Anderson to Andreas Frydenlund, Seymour Anderson to Seymour Frydenlund, Anna Anderson to Anna Frydenlund, Clara M. Anderson to Clara M. Frydenlund, Carl A. Anderson to Carl A. Frydenlund,

Which was read the first time.

Mr. Rice introduced—

House Bill No. 337. A bill for an act to establish independent school district of Flandreau, Moody county, Dakota Territory,

Which was read the third time.

Mr. Hutchison introduced—

House Bill No. 338. A bill for an act to authorize the county commissioners of Nelson county to fund the outstanding indebtedness thereof.

Which was read the first time.

Mr. Williams introduced—

House Bill No. 339. A bill for an act authorizing the city of Bismarck to issue bonds.

Which was read the first time

Mr. Pierce introduced—

House Bill No. 340. A bill for an act to incorporate the city of Frankfort.

Which was read the first time.

Mr. Ward, of Brule, introduced—

House Bill No. 341. A bill for an act relocating the county seat of Chas. Mix county.

Was read the first time.
And on motion of Mr. Blakemore
The rules were suspended, the bill
Read the second time and referred to committee on counties.

SECOND READING OF HOUSE BILLS.

House Bill No. 287. A bill for an act to establish an independent school district in Turner county,

Read the second time and referred to the committee on Education.

House Bill No. 289. A bill for an act to establish the independent school district of Bridgewater and to provide for the organization and government of the same,

Read the second time and referred to the committee on Education.

House Bill No. 290. A bill for an act to incorporate the city of Big Stone City, Grant county, Dakota Territory, and to create an independent school district.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 303. A bill for an act to authorize the village of Egan to issue bonds,

Was read the second time, and

On motion of Mr. Hobart
The rules weres uspended,
The bill read the third time and put upon its final passage.

The roll being called there were 36 votes in the affirmative and 2 votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Roach, Ruger, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.
Those who voted in the negative were:
Messrs. McCall, Runkle.
Absent and not voting:
Messrs. Barnes, Bayard, Gregg, Johnson, Martin, Morgan, McHugh, Riddell, Steele, Stevens.

So the bill passed and its title was agreed to.

House Bill No. 293. A bill for an act to amend section 54 of chapter 21 of the Revised Codes,

Read the second time and referred to the committee on Judiciary.

House Bill No. 295. A bill for an act providing that the question of issuing license for the sale of intoxicating liquors be submitted to a vote of the people,

Read the second time and referred to the committee on Judiciary.

House Bill No. 296. A bill for an act to create and establish the county of Putnam,

Read the second time and referred to the committee on Counties.

House Bill No. 297. A bill for an act supplementary to article 4, chapter 11 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

House Bill No. 307. A bill for an act to amend section 726 of the Penal Code, relative to selling liquors to minors,

Read the second time and referred to the committee on Judiciary.

House Bill No. 310. A bill for a Joint Resolution providing for the printing of the Council and House Journals of the Sixteenth Legislative Session,

Read the second time and referred to the committee on Public Printing.

House Bill No. 311. A bill for an act to repeal chapter 46 of the Session Laws of 1883, entitled "Assistant Superintendent,"

Read the second time and referred to the committee on Education.

House Bill No. 299. A bill for an act creating the county of St. Pierre, and for other purposes,

Read the second time and referred to the committee on Counties.

House Bill No. 300. A bill for an act to amend section 672 of the Political Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 301. A bill for an act to amend section 3, chapter 31, and section 1, chapter 32, Session Laws of 1879,

Read the second time and referred to the committee on Judiciary.

House Bill No. 302. A bill for an act to change the boundaries of Crystal and Park townships, in the county of Pembina,

Read the second time and referred to the committee on Town and Cities.

House Bill No. 305. A bill for an act to amend an act to incorporate the city of Larimore,

Was read the second time, and
On motion of Mr. Roach,
The rules were suspended, the bill
Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Stewart voting in the negative.

Absent and not voting:
Messrs. DeWoody, Johnson, Morgan, Pugh, Ruger, Stevens, Van Osdel.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I transmit herewith
Council Bill No. 86. A bill for an act regulating the per diem and mileage of directors, trustees or regents of territorial institutions.
Also,
Council Bill No. 223. A bill for an act to provide for assessment and taxation of telegraph property in this territory.

Also,
Council Bill No. 248. A bill for an act to fund the indebtedness of Codington county.

Also,
Council Bill No. 259. A bill for an act to give a reward in money for the discovery of anthracite coal in the territory.

Also,
Council Bill No. 274. A bill for an act making appropriation to pay George Hughes and Charles Healey for services as pages of the Council.

Also,
Council Bill No. 277. A bill for an act authorizing the board of county commissioners of Cass county to issue bonds for the purpose of funding the indebtedness of the road and bridge fund.

Also,
Council Bill No. 278. A bill for an act to authorize the board of county commissioners of Cass county, Dakota Territory, to issue bonds for the finishing and furnishing the court house.

Also,
Council Bill No. 280. A bill for an act to change the name of certain churches in Bon Homme county.

Also,
Council Bill No. 288. A bill for an act to vacate certain portions of Matthews' and Scoby's addition to the city of Brookings, Brookings county, Dakota Territory.

All of which the Council have passed and a concurrence by your honorable body is respectfully requested.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

THIRD READING OF HOUSE BILLS.

Mr. Martin called to the chair.

House Bill No. 7. A bill for an act to relocate the Capital of the Territory of Dakota,

Was read the third time.

Mr. Williams moved

That the further consideration of the bill be indefinitely postponed.

Mr. Blakemore moved

To lay the motion on the table.

The ayes and nays were demanded on motion to lay on table.

The roll being called, there were 25 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

So the motion to lay on the table prevailed.

Mr. Blakemore moved

The previous question on the passage of the bill.

Mr. Oliver moved

To adjourn.

The ayes and nays demanded.

The roll being called, there were 22 votes in the affirmative, and 25 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Mr. DeWoody not voting.

So the motion to adjourn was lost.

A call of the House was demanded and ordered.

Mr. Blakemore moved

To suspend further proceedings under the call of the House.

Which motion was lost.

Mr. Williams moved

To adjourn.

The ayes and nays were demanded.

The roll being called, there were 21 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Runkle, Stevens.

So the motion to adjourn was lost.

Call of the House.

Mr. Barnes moved

To suspend proceedings under call of the House, and that the ayes and nays be taken.

The roll being called, there were 26 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Martin and Mr. Speaker.

Those who voted in the negative were:

Messrs. Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, Morgan, McHugh, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, McCumber and Ward of Brule.

Messrs. Oliver and Stevens not voting.

And so the motion to suspend the proceedings under the call was adopted.

Mr. Langan moved

To lay the motion for the previous question on the table.

Yeas and nays were demanded.

The roll being called, there were 22 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huston, Hutchinosn, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Messrs. Huntington and Stevens not voting.

So the motion to lay the previous question on the table was lost.

The call of the House demanded.

Mr. Barnes moved

To dispense with proceedings under the call.

Yeas and nays demanded.

The roll being called, there were 19 votes in the affirmative and 16 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, DeWoody, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. Coe, Gregg, Huntington, Hobart, McCall, Steele, Stevens, Mr. Speaker.

And so the motion to dispense with proceedings under the call of the House was lost.

Mr. Barnes moved

To dispense with proceedings under call of the House.

Yeas and nays were demanded.

The roll being called there were 25 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Martin, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. Huntington, Stevens.

And so the motion to dispense with the proceedings under the call prevailed.

Mr. Oliver moved

To adjourn.

The ayes and nays were demanded.

The roll being called, there were 22 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Johnson, Stevens.

And so the motion to adjourn was lost.

The question as to whether the main question should now be put.

The ayes and nays were demanded.

Mr. Steele moved

To recommit to the general order.

Which was ruled out of order.

The roll being called, there were 25 votes in the affirmative and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Langan, Myron, Miller, McCall, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Williams, Martin.

Those who voted in the negative were:

Messrs. Clark, Coe, Huntington, Huston, Hutchinson, Johnson, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Stevens.

And so the motion ordering the previous question prevailed.

The Speaker resumed the chair and announced

As the special committee to investigate charges of corruption Messrs. Mark Ward, Huntington, Steele, Blakemore and Dawson.

Mr. Williams moved

To reconsider the vote by which the previous question was ordered.

Yeas and nays were demanded.

The roll being called, there were 23 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Mr. Stevens absent.

So the motion to reconsider the previous question was lost.

Mr. Williams moved
To adjourn.

The ayes and nays were demanded.

The roll being called there were 18 votes in the affirmative, and 30 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. DeWoody, Hutchinson, Huston, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Mr. Johnson not voting.

So the motion to adjourn was lost.

The roll being called upon the final passage of the bill there were 27 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin McCall, Oliver, Parshall, Pickler Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Ward of Brule.

Mr. Stevens not voting.

So the bill passed and its title was agreed to

Mr. Williams moved
To reconsider the vote by which
House Bill No. 7 passed.

Mr. Blakemore moved
To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 25 votes in the affirmative, and 22 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Mr. Langan explaining his vote.

Mr. Stevens absent.

So the motion to lay on the table prevailed.

Mr. Martin moved

To refer House Bill No. 328 to the committee on Education.

Which motion prevailed.

Mr. Barnes moved

That House Bill No. 328 be read a second time and referred and ordered printed.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 130. A bill for an to act to enable counties, cities and villages to construct irrigating ditches,

Was read the third time, and

On motion of Mr. Sprague,

Was indefinitely postponed.

House Bill No. 209. A bill for an act to amend section 759 of the Penal Code, relating to terms of imprisonment,

Was read the third time and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Gregg, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Pickler, Runkle, Riddell, Roach, Steele, Swanton, Sprague, Stebbins, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. McHugh, Oliver, Stewart, Stong, Van Osdel.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Eldredge, Huntington, Hutchinson, Parshall, Pierce, Pugh, Ruger, Southwick, Stevens, Smith, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 224. A bill for an act to authorize the Lenham Elevator and lumber company, a corporation, to change its name.

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Swanton, Sprague, Stebbins, Scott, Stewart, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg, Stong, Van Osdel.

Absent and not voting:

Messrs. Barnes, Hutchinson, McHugh, Oliver, Runkle, Ruger, Southwick, Stevens, Smith, Ward of Turner.

So the bill passed and its title was agreed to.

House Bill No. 225. A bill for an act to amend paragraph 1 of section 1,970 of the Civil Code.

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan,Myron, Miller, Martin, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Sprague, Stebbins, Scott, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg, McCall, Stong.

Absent and not voting:

Messrs. Barnes, Huston, McCumber, Pierce, Runkle, Ruger, Southwick, Stevens, Swanton, Smith, Van Osdel, Stewart, Ward of Turner.

So the bill passed and its title was agreed to.

House Bill No. 247. A bill for an act to amend section 78 of chapter 28 of the Political Code.

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan Myron, Miller, Martin, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Sprague, Stebbins, Scott, Stewart, Williams, Ward of Brule, Mr. Speaker.

Those wo voted in the negative were:

Messrs. Gregg, McCall, Stong.

Absent and not voting:

Messrs. Barnes, Huston, McCumber, Pierce, Runkle, Ruger, Southwick, Stevens, Swanton, Smith, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

Mr. Langan moved

To adjourn.

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTY-FIRST DAY.

BISMARCK, Wednesday, March 4, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Blakemore, Huntington, Steele and Ward of Brule, who were engaged in committee work.

The reading of the Journal was dispensed with, and referred to the committee on Public Printing for correction.

Mr. Williams moved
That the chief clerk be instructed not to transmit
House Bill No. 7
To the Council until otherwise directed by the House.

Mr. Oliver moved
The previous question.

Which motion was lost.

The ayes and nays were ordered on the original motion.

The roll being called, there were 23 votes in the affirmative, and 25 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, Mc-

Call, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

So the motion was lost.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 4, 1885.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

House Bill No. 143,

Have considered the same and report back a substitute bill with the recommendation that the substitute bill do pass.

M. L. MILLER,
Chairman.

Mr. Coe moved

To adopt the report of the committee.

Which motion prevailed.

BISMARCK, March 3, 1885.

MR. SPEAKER:

Your committee appointed for the purpose of examining

House Bill No. 193. A bill for an act prescribing the mode for listing, assessing and the levy and collection of taxes,

Have carefully examined the same and we find that about all the changes proposed in this act are either unimportant or covered by acts passed at this session, and while it may be desirable to have the revenue law revised and corrected in one act, thereby avoiding conflict and confusion, and securing uniformity, yet your committee is of the opinion that at this stage of the session the legislature can hardly devote the time necessary for a proper consideration of the revenue law, as the bill covers the entire law. Yet, should the Council pass this bill and send it down here, we would not oppose a consideration of the bill, but for the present we recommend that the bill lie upon the table.

H. W. SMITH,
Chairman.

Mr. Blakemore moved

The adoption of the report of the committee.

Which motion prevailed.

BISMARCK, March 3, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No 253.

Also,

House Bills Nos. 196, 228 and 207.

Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 247. A bill for an act to amend section 78 of chapter 28 of the Political Code,

And beg leave to report favorably, and recommend its passage.

Also,

Council Bill No. 236. A bill for an act legalizing the acts of John P. Belding, late acting sheriff of Lawrence county, and for other purposes,

And beg leave to report favorably, and recommend it be so considered by the House.

Also,

Council Bill No. 227. A bill for an act to amend section 511 of the Code of Civil Procedure,

And beg leave to report favorably and recommend its passage by this House.

Also,

Council Bill No. 211. A bill for an act amending section 237 of the Code of Civil Procedure,

And beg leave to report favorably and recommend its passage by this House.

Also,

Council Bill No. 183. A bill for an act to repeal section 4, chapter 99 of the Session Laws of 1881, and for other purposes,

And beg leave to report favorably and recommend its passage.

Also,

Your committee on Judiciary have considered

Council Bill No. 178. A bill for an act to amend section 553 of the Code of Criminal Procedure of the Territory of Dakota,

And beg leave to report favorably and recommend it be considered favorably and passed by this House.

Also,

House Bill No. 260. A bill for an act for the relief of Milton C. Connors,

And beg leave to recommend that the same be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

Your committee on Towns and Cities have had under consideration

House Bill No. 233. A bill for an act to change the name of the township of Logan, Aurora county,

And report the same back and recommend its passage.

Also,

House Bill No. 281. A bill for an act to amend an act to incorporate the city of Chamberlain,

Have had the same under consideration and report it back and recommend its passage.

Also,

House Bill No. 229. A bill for an act to amend an act to incorporate the village of Parker and define its boundaries,

Have considered the same and report the same back and recommend that it do pass.

Also,

Council Bill No. 213. A bill for an act to amend an act to incorporate the city of Jamestown,

Have had the same under consideration, and report it back and recommend that same do pass.

Also,

Council Bill No. 233. A bill for an act to incorporate the city of Milbank,

Have considered the same and report it back and recommend that it do pass.

Also,

House Bill No. 302. A bill for an act to change the boundaries of Crystal and Park townships, in the county of Pembina,

Have considered the same, and would report the same back with the recommendation that it do pass.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee on Counties to whom was referred
House Bill No. 264,
Recommend that the same do not pass.

Also,
House Bill No. 240,
And recommend that it do pass.

Also,
House Bill No. 25,
And recommend that it do pass.

Also,
Council Bill No. 246,
And beg leave to report the same back, with recommendations that the same do pass.

Also,
House Bill No. 261,
And beg leave to report the same and recommend that it do pass.

Also,
House Bill No. 282,
And beg leave to report, recommending that the same do pass.

Also,
House Bill No. 283,
And beg leave to report the same back and recommend that it do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Agriculture to whom was referred
House Bill No. 255,
Have examined the same, and
Beg leave to report the same with the recommendation that the same do pass.

DONALD STEWART,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 200. A bill for an act to amend chapters 52 and 53 of the Laws of 1883,

And would respectfully recommend that the same be amended as follows:

Amend section 1 of said act by transposing the words "chapter" and "section" in the first line, so that the first line shall read "section one (1), that section one (1) of said chapter 52, etc., and when so amended that the same be considered favorably and passed by this House.

E. W. MARTIM,
Chairman.

Mr. Martin moved

Adoption of the amendments.

Which motion prevailed.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

Council Bill No. 219. A bill for an act authorizing and empowering the county commissioners of Towner county, Dakota Territory, to fund the outstanding indebtedness of said county,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,

Council Bill No. 212. A bill for an act to empower school district No. 78, of Walsh county, Dakota Territory, to issue bonds for school purposes,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,

Council Bill No. 188. A bill for an act to enable cities and municipal corporations to purchase and construct water works, and for other purposes,

Have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

Also,

House Bill No. 338. A bill for an act to authorize the county commissioners of Nelson county to fund the outstanding indebtedness thereof.

Have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Appropriations to whom was referred

Council Bill No. 176. A bill for an act to reimburse Brown county, Dakota, for money paid out for the taking care of certain paupers named, in unorganized territory,

Have had the same under consideration, and beg leave to report the same back and recommend that the bill do pass.

Also,

House Bill No. 292. A bill for an act to authorize the issue of bonds for the purpose of making permanent improvements and furnishing the territorial penitentiary of Dakota Territory, at Bismarck, and for other purposes,

Have had the same under consideration, and beg leave to report the same back with the following amendment attached to the bill, and recommend that the bill do pass as amended.

J. A. PICKLER,
Chairman.

BISMARCK, March 3, 1885.

MR. SPEAKER:

Your committee on Federal Relations, to whom was referred

Council Bill No. 115. A bill for an act providing for a constitutional convention and the formation of a state constitution, preparatory to the admission of Dakota into the Union, and for other purposes,

Respectfully report that they have had the same under consideration and recommend that the same do pass.

W. N. ROACH.
Chairman.

BISMARCK, March 2, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 249. A bill for an act to amend section 238 of the Code of Civil Procedure, And respectfully report unfavorably and recommend the said bill be indefinitely postponed.

E. W. MARTIN,
Chairman.

Mr. Martin moved

That further consideration of the bill be indefinitely postponed.

Which motion prevailed.

EXECUTIVE COMMUNICATIONS.

BISMARCK, March 4, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bills Nos. 221, 189, 87, 190, 188, 146, 192.

GILBERT A. PIERCE,
Governor.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 4, 1885.

MR. SPEAKER:

I have to inform you that the Council this day has declined to concur in the

House amendment to

Council Bill No. 39. A bill for an act for an appropriation for the completion and maintenance of the agricultural college of Brookings, Dakota Territory, and respectfully ask that a committee of conference be appointed by the House to act with a like committee of the Council, consisting of Messrs. Jones, Pettigrew and Cameron.

Also,

I return herewith

House Bill No. 48. A bill for an act appropriating funds for the Territorial normal school at Spearfish, Dakota Territory.

Also,

House Bill No. 142. A bill for an act to establish independent school district No. 1, Douglass county, Dakota Territory, and for other purposes.

Both of which the Council have this day passed without amendment.

Also,

House Bill No. 74. A bill for an act authorizing the county treasurer to bid off real estate in the name of the county where there are no other bidders.

Also,

House Bill No. 97. A bill for an act authorizing the county commissioners of Ramsey county to fund the outstanding indebtedness.

Also,

House Bill No. 124. A bill for an act authorizing the county commissioners of Dickey to fund the outstanding indebtedness.

Also,

House Bill No. 126. A bill for a Joint Memorial and Resolution relating to the pine lands of Minnesota.

Also,

House Bill No. 167. A bill for an act to authorize the county commissioners of Sargent county to fund the debt of said county.

House Bill No. 203. A bill for an act authorizing the Secretary of the Territory to purchase fuel to heat the Capitol building.

Also,

House Bill No. 215. A bill for an act authorizing the board of county commissioners of Aurora to fund the outstanding indebtedness.

Also,

House Bill No. 248. A bill for an act authorizing the county commissioners of Edmunds county to fund the outstanding indebtedness.

Also,

House Bill No. 252. A bill for an act authorizing the board of county commissioners of Custer county to fund the outstanding indebtedness.

All of which the Council have passed without amendment.

A. W. HOWARD,
Chief Clerk.

MOTIONS AND RESOLUTIONS.

Mr. Barnes moved

To adopt the amendments to
Council Bills Nos. 25 and 73.

Mr. Oliver moved
To amend by making the same a special order for this afternoon at 4 o'clock.
Which amendment was adopted,
And the original motion, as amended, prevailed.
The Speaker announced his signature to
House Bill No. 253.
Mr. McCumber moved that
Council Bill No. 156
Be committed to a special committee, with instructions to amend the same so as to secure uniformity of taxation, so as not to interfere with the organizations of county mutual insurance companies, and so as to allow all companies organized under this act the same rights and subject to the same liabilities, as near as practicable, as companies heretofore organized for like purposes under other acts.

Which motion prevailed.

Mr. Ruger moved
That the rules be suspended,
And all House Bills now ready for their first reading be
Read a first and second time
By their titles, and be referred to their appropriate committees, unless otherwise ordered by the House.

Which motion prevailed.

Mr. Ward introduced—
The following resolution:
Resolved, By this House, that inasmuch as it is getting near the end of the session, that while the House is in Committee of the Whole the chief clerk be instructed to leave the duties of the clerk before the Committee of the Whole to the assistant clerks, and attend to getting all bills passed by this House immediately transmitted to the Council.

Mr. Steele moved
The adoption of the resolution.

Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Ruger introduced—
House Bill No. 342. A bill for an act to legalize school township election held in school township No. 2, Towner county,

Was read the first time, and

Mr. Ruger moved

To suspend the rules and read the bill the second and third times and put the same on its final passage,

Which motion prevailed, and

The bill was so read.

The roll being called there were 39 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Johnson, Langan, Martin, Parshall, Southwick, Stevens.

So the bill passed and its title was agreed to.

Mr. Blakemore introduced—

House Bill No. 343. A bill for an act to amend an act entitled an act providing for a charter for the city of Huron, Territory of Dakota,

Which was read the first and second times and referred to the committee on Towns and Cities.

Mr. Barnes introduced—

House Bill No. 344. A bill for an act to amend section 1 of chapter 48 of the Laws of Dakota for 1879,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Hobart introduced—

House Bill No. 345. A bill for an act to amend sections 58 and 59 of chapter 21 of the Political Code,

Which was read the first and second times and referred to committee on Judiciary.

Mr. Oliver introduced—

House Bill No. 346. A bill for an act providing for keeping the county offices open certain times each day,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Martin introduced—

House Bill No. 347. A bill for an act amending chapter 4 of the Political Code,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. McCumber introduced—

House Bill No. 348. A bill for an act relating to the foreclosure of mortgages on real estate property by advertisement,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Gregg introduced—

House Bill No. 349. A bill for an act to legalize the assessment of Butte county for the year 1883,

Which was read the first and second times and referred to the committee on Ways and Means.

Also,

House Bill No. 350. A bill for an act to change the names of Edward C. Hitchcock and Louise Jane Hitchcock to Edward C. Brelsford and Louise Jane Brelsford,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Coe introduced—

House Bill No. 351. A bill for an act defining the boundaries of Oliver and Mercer counties, and for other purposes,

Which was read the first and second times and referred to the committee on Counties.

Mr. Smith introduced—

House Bill No. 352. A bill for an act to repeal chapter 37 of Special Laws of 1883,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Pickler introduced—

House Bill No. 353. A bill for an act amending section 658, chapter 4 of Civil Code,

Which was read the first time.

Also,

House Bill No. 354. A bill for an act to provide salary for clerks of district court,

Which was read the first time.

Mr. Hobart introduced—

House Bill No. 355. A bill for an act to amend section 12 of chapter 62 of the Special and Private Laws of 1881,

Which was read the first time.

Mr. Barnes introduced—

House Bill No. 356. A bill for an act to amend section 540 of the Civil Code,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 357. A bill for an act relating to the pardon of Patrick R. Smith,

Which was read the first time, and

On motion of Mr. Williams,

The rules were suspended, the bill read the second and third times and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody and Myron.

Absent and not voting:

Messrs. Barnes, Huston, Langan, Parshall, Roach, Southwick, Swanton.

So the bill passed and its title was agreed to.

Mr. Williams introduced—

House Bill No. 358. A bill for an act to change the name of the township of Blaine, Burleigh county, Dakota,

Which was read the first time, and

On motion of Mr. Williams,

The rules were suspended, the bill read the second and third times and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Gregg voting in the negative.

Absent and not voting:

Messrs. Huston, McCumber, Parshall, Ruger, Stevens.

So the bill passed and its title was agreed to.

Mr. Barnes introduced—

House Bill No. 359. A bill for an act to amend section 107 of the Code of Civil Procedure,

Which was read the first and second times and referred to the committee on Judiciary.

SECOND READING OF HOUSE BILLS.

House Bill No. 340. A bill for an act to incorporate the city of Frankfort, Dakota,

Read the second time and referred to the committee on Towns and Cities.

THIRD READING OF HOUSE BILLS.

House Bill No. 229. A bill for an act to amend an act to incorporate the village of Parker,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams. Mr. Speaker.

Absent and not voting:

Messrs. Bayard, Dawson, DeWoody, Huntington, Larson, Langan, Parshall, Ruger, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 233. A bill for an act to change the name of the township of Logan, Aurora county.

Was read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and no votes in negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, DeWoody, Gregg, Huntington, Huston, Larson, Parshall, Ruger, Van Osdel, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 240. A bill for an act to divide the county of Emmons and create the county of Winona.

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Martin and Williams.

Absent and not voting:

Messrs. Bayard, DeWoody, Gregg, Huntington, Huston, Larson, Parshall, Ruger, Steele, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 255. A bill for an act to provide for ascertaining the acreage of timber in Dakota Territory.

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, DeWoody, Gregg, Huntington, Huston, Larson, Parshall, Ruger, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. DeWoody excused.

Mr. Huston excused until to-morrow afternoon.

House Bill No. 260. A bill for an act for the relief of Milton C. Connors.

Was read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, Eldredge, Huston, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott. Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Bayard, Blakemore, DeWoody, Gregg, Huntington, Hobart, Larson, Parshall, Ruger, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 261. A bill for an act to enable the voters of LaMoure county to vote upon the location of the county seat.

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Helvig, Hutchinson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. McCumber, Pugh, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Bayard, DeWoody, Gregg, Huntington, Hobart, Johnson, Larson, Parshall, Pickler, Pierce, Ruger, Steele, Ward of Turner.

So the bill passed and its title was agreed to.

Mr. Coe moved that

House Bill No. 264. A bill for an act creating the county of Hart,

Be laid on the table.

Which motion prevailed.

House Bill No. 282. A bill for an act to create the county of Washington and define its boundaries.

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative and 9 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Miller, McCall, Morgan, McHugh, Oliver, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg, Larson, Myron, Martin, Parshall, Sprague, Scott, Stewart, Van Osdel.

Absent and not voting:

Messrs. DeWoody, Huntington, McCumber, Pugh.

So the bill passed and its title was agreed to.

House Bill No. 281. A bill for an act amending an act to incorporate the city of Chamberlain,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Stebbins, Scott, Stewart, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Runkle, Van Osdel.

Absent and not voting:
Messrs. DeWoody, Huntington, Ruger, Smith, Sprague, Stong, Ward of Turner.

So the bill passed and its title was agreed to

House Bill No. 283. A bill for an act creating the county of Eddy, defining its boundaries, and other purposes,
Was read the third time and put upon its final passage.

The roll being called, there were 4 votes in the affirmative, and 33 votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Hutchinson, McHugh, Oliver, Williams.
Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Coe, Eldredge, Gregg, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pierce, Runkle, Roach, Ruger, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Messrs. Clark, Dawson, DeWoody, Huntington, McCumber, Pugh, Riddell, Steele, Swanton, Smith, Ward of Brule.

So the bill was lost.

House Bill No. 284. A bill for an act to fund the outstanding indebtedness of Fort Ransom school township,
Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and 1 vote in the negative, viz:
Those who voted in the affirmative were:
Messrs. Barnes, Blakemore, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Roach, Ruger,

Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Mr. Gregg voting in the negative.

Absent and not voting:

Messrs. Bayard, Clark, Huntington, Langan, Pugh, Runkle, Riddell, Swanton, Smith, Van Osdel

So the bill passed and its title was agreed to.

House Bill No. 290. A bill for an act to incorporate the city of Big Stone City, and to create an independent school district.

Was read the third time and put upon its final passage.

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, Clark, Huntington. Helvig, Pugh, Runkle, Riddell, Swanton, Smith.

So the bill passed and its title was agreed to.

House Bill No. 292. A bill for an act to authorize the issue of bonds for the purpose of making permanent imtprovements and furnishing the territorial penitentiary a- Bismarck, and for other purposes.

Was read the third time and put upon its final passage.

Call of the House.

The Speaker called Mr. McCumber to the chair.

Mr. Johnson moved

To dispense with proceedings under the call.

Which motion prevailed.

Mr. Blakemore moved

To refer the bill to General Orders to-day.

The ayes and nays demanded.

The roll being called, there were 19 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Gregg, Larson, Langan, Myron, Miller, Martin, Parshall, Runkle, Ruger, Southwick, Swanton, Sprague, Stebbins, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Roach, Steele, Stevens. Scott, Stewart, Williams, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Huntington, Hobart, Riddell, Smith, Stong.

So the motion to refer
House Bill No. 292
To the general orders was lost.

A call of the House demanded.

Mr. Williams moved
To dispense with proceedings under the call.

Which motion prevailed.

Mr. Blakemore moved
To take a recess for thirty minutes.

The ayes and nays were demanded.

The roll being called there were 18 votes in the affirmative, and 26 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Gregg, Helvig, Larson, Myron, Miller, Martin, Pickler, Pierce, Southwick, Swanton, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, Dawson, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Scott, Stewart, Williams, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Eldredge, Hobart, Riddell, Smith, Stebbins, Stong.

And so the motion for a recess was lost.

The roll being called upon the final passage of the bill there were 28 votes in the affirmative, and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Gregg, Larson, Langan, Myron, Miller, Martin Parshall, Runkle, Southwick, Swanton, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Riddell, Smith, Stong.

So the bill passed and its title was agreed to.

Mr. DeWoody moved

To reconsider the vote by which the bill passed and to lay the motion to reconsider on the table.

The roll being called there were 26 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, McCall, McCumber, Morgan, McHugh, Oliver, Pierce, Pugh, Roach, Steele, Stevens, Stebbins, Scott, Stewart, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Gregg, Larson, Langan, Myron, Miller, Martin, Parshall, Pickler, Runkle, Southwick, Swanton, Sprague, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Riddell, Ruger, Smith, Stong.

And so the motion prevailed.

House Bill No. 142. A bill for an act amending the charter of the city of Mandan.

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Huston, Martin.

So the bill passed and its title was agreed to.

The Speaker announced his signature to

Council Bills Nos. 179, 61, 50, 293.

House Bill No. 302. A bill for an act to change the boundaries of Crystal and Park townships in Pembina county.

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Huston, Martin.

So the bill passed and its title was agreed to.

House Bill No. 338. A bill for an act authorizing the county commissioners of Nelson county to fund its outstanding indebtedness.

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Huston, Langan, McCall, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 45. A bill for an act to establish territorial and county boards of health, and providing for the protection of the health of persons and animals,

Was read the first time.

Council Bill No. 179. A bill for an act to amend section 4 of chapter 3 of the Political Code as amended by chapter 37 of the Laws of 1879,

Was read the first time.

Council Bill No. 189. A bill for an act to amend section 101 of the Code of Civil Procedure,

Was read the first time.

Council Bill No. 228. A bill for an act to provide for taking depositions in criminal cases,

Was read the first time.

Council Bill No. 229. A bill for an act establishing independent school district of Canova, Miner county, Dakota Territory,

Was read the first time.

Council Bill No. 230. A bill for an act to extend and connect certain streets in the town of Madison, Lake county, Dakota Territory,

Was read the first time.

Council Bill No. 234. A bill for an act to fund the road and bridge indebtedness of Stutsman county and providing for the issue and sale of bonds to pay the same,

Was read the first time.

Council Bill No. 235. A bill for an act to amend sections 7 and 15 of chapter 39 of the Civil Code,

Was read the first time.

Council Bill No. 239. A bill for an act to amend section 6 of chapter 19 of the Political Code,

Was read the first time.

Council Bill No. 243. A bill for an act to amend section 104 and to repeal section 106 of the Code of Civil Procedure of this Territory,

Was read the first time.

Council Bill No. 245. A bill for an act to establish a Code of Proceedings in Courts of Justices of the Peace and to limit the jurisdiction of the same,

Was read the first time.

Council Bill No. 247. A bill for an act to amend an act entitled an act to incorporate the city of Canton,

Was read the first time.

Council Bill No. 253. A bill for an act authorizing and directing the county commissioners of Lawrence county to settle with and release the sureties upon the official bond of Robert Neill, formerly treasurer of said county, upon certain conditions,

Was read the first time.

Council Bill No. 254. A bill for an act to incorporate the city of Fairbank.

Was read the first time.

Council Bill No. 257. A bill for an act providing a board of education for the city of Jamestown, Dakota Territory, and regulating the management of the public schools therein.

Was read the first time.

Council Bill No. 260. A bill for an act supplementary to and explanatory of chapter 38 of the Political Code.

Was read the first time.

Council Bill No. 264. A bill for an act to authorize the boards of county commissioners of Minnehaha, Miner, Lake and Kingsbury counties to aid certain persons whose crops were destroyed by storms.

Was read the first time.

Council Bill No. 265. A bill for an act to establish independent school district of Howard, Miner county.

Was read the first time.

Council Bill No. 266. A bill for an act establishing independent school district of Gilman, Lake county, Dakota,

Was read the first time.

Council Bill No. 225. A bill for an act to improve the public school system of the city of Pierre.

Was read the first time.

Council Bill No. 269. A bill for an act to vacate certain portions of Cooper's addition to the city of Grafton.

Was read the first time.

Council Bill No. 217. A bill for an act to amend section 4 of the act providing for the erection of a court house and jail for Walsh county, Dakota.

Was read the first time.

Council Bill No. 274. A bill for an act making appropriations to pay George Hughes and Charles Healy for services as pages.

Was read the first time.

On motion of Mr. McHugh
The rules were suspended, and
The bill read the second and third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Huntington, Helvig, Hutchinson, Langan Myron, Miller, Martin, McCall, McCumber, McHugh, Oliver, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Gregg, Huston, Hobart, Johnson, Larson, Morgan, Parshall, Pugh, Ruger, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 244. A bill for an act to define the boundaries of the county of McLean.

Was read the first time.

Council Bill No. 280. A bill for an act to change the names of certain churches in Bon Homme county,

Was read the first time, and
Under a suspension of the rules, was
Read the second time and referred to the committee on Judiciary.

Council Bill No. 283. A bill for an act to amend the charter of the city of Casselton,

Was read the first time.

Council Bill No. 86. A bill for an act regulating the per diem and mileage of directors, trustees and regents of territorial institutions,

Was read the first time.

Council Bill No. 223. A bill for an act to provide for the assessment and taxation of telegraph property in this Territory,

Was read the first time.

Council Bill No. 248. A bill for an act to fund the indebtedness of Codington county,

Was read the first time.

Council Bill No. 259. A bill for an act to give a reward in money for the discovery of anthracite coal in Dakota,

Was read the first time.

Council Bill No. 277. A bill for an act authorizing the board of county commissioners of Cass county to issue bonds for the purpose of funding the indebtedness of the road and bridge fund,

Was read the first time.

Council Bill No. 278. A bill for an act to authorize Cass county to issue bonds for finishing and furnishing the court house,
Was read the first time, and
The rules were suspended,
The bill read the second time and referred to the committee on Ways and Means.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 45. A bill for an act to establish territorial and county boards of health and providing for the protection of the health of persons and animals,

Read the second time and referred to the committee on Public Health.

Council Bill No. 179. A bill for an act to amend section

4 of chapter 3 of the Political Code as amended by chapter 37 of the Laws of 1879,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 230. A bill for an act to extend and connect certain streets in the town of Madison, Lake county, Dakota Territory,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 234. A bill for an act to fund the road and bridge indebtedness of Stutsman county, and providing for the issue and sale of bonds to pay the same,

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 235. A bill for an act entitled an act to amend sections 7 and 15 of chapter 39 of the Civil Code,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 189. A bill for an act to amend section 101 of the Code of Civil Procedure,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 228. A bill for an act to provide for taking depositions in criminal cases,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 229. A bill for an act establishing independent school district of Canova, Miner county, Dakota Territory,

Read the second time and referred to the committee on Education.

Council Bill No. 239. A bill for an act to amend section 6 of chapter 19 of the Political Code,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 243. A bill for an act to amend section 104 and to repeal section 106 of the Code of Civil Procedure of this territory,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 245. A bill for an act to establish a

Code of Proceedings in Courts of Justices of the Peace and to limit the jurisdiction of the same,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 247. A bill for an act to amend an act entitled an act to incorporate the city of Canton,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 253. A bill for an act authorizing and directing the county commissioners of Lawrence county to settle with and relieve the sureties upon the official bond of Robert Neill, formerly treasurer of said county, upon certain conditions,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 254. A bill for an act to incorporate the city of Fairbank,

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 257. A bill for an act providing a board of education for the city of Jamestown, Dakota Territory, and regulating the management of the public schools therein,

Read the second time and referred to the committee on Education.

Council Bill No. 260. A bill for an act supplementary to and explanatory of chapter 38 of the Political Code,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 264. A bill for an act to authorize the boards of county commissioners of Minnehaha, Miner, Lake and Kingsbury counties to aid certain persons whose crops were destroyed by storms,

Read the second time and referred to the committee on Judiciary.

Council Bill No. 265. A bill for an act to establish indedependent school district of Howard, Miner county, Dakota,

Read the second time and referred to the committee on Education.

Council Bill No. 266. A bill for an act establishing independent school district of Gilman, Lake county, Dakota.

Read the second time and referred to the committee on Education.

Council Bill No. 225. A bill for an act to improve the public school system of the city of Pierre.

Read the second time and referred to the committee on Education.

Council Bill No. 269. A bill for an act to vacate certain portions of Cooper's addition to the city of Grafton.

Read the second time and referred to the committee on Towns and Cities.

Council Bill No. 217. A bill for an act to amend section 4 of the act providing for the erection of a court house and jail for Walsh county, Dakota.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 244. A bill for an act to define the boundaries of the county of McLean.

Read the second time and referred to the committee on Counties.

Council Bill No. 283. A bill for an act to amend the charter of the city of Casselton.

Read the second time and referred to the committee on Town and Cities.

Council Bill No. 86. A bill for an act regulating the per diem and mileage of directors, trustees and regents of territorial institutions.

Read the second time and referred to the committee on Education.

Council Bill No. 223. A bill for an act to provide for the assessment and taxation of telegraph property in this territory.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 248. A bill for an act to fund the indebtedness of Codington county.

Read the second time and referred to the committee on Ways and Means.

Council Bill No. 259. A bill for an act to give a reward in money for the discovery of anthracite coal in Dakota.

Read the second time and referred to the committee on Territorial Affairs.

Council Bill No. 277. A bill for an act authorizing the board of county commissioners of Cass county to issue bonds for the purpose of funding the indebtedness of the road and bridge fund.

Read the second time and referred to the committee on Ways and Means.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 115. A bill for an act providing for a constitutional convention and the formation of a state constitution, preparatory to the admission of Dakota into the Union, and for other purposes.

Was read the third time.

Mr. Williams moved
To refer the bill to General Orders.

The ayes and nays were demanded.

The roll being called, there were 14 votes in the affirmative, and 25 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, Johnson, McCumber, Oliver, Pugh, Runkle, Roach, Ruger, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Pickler, Pierce, Riddell, Southwick, Stevens, Swanton, Smith, Sprague, Stewart, Van Osdel, Ward, of Turner.

Absent and not voting.

Messrs. DeWoody, Gregg, Huntington, Huston, Hutchinson, Morgan, Parshall, Steele, Stebbins.

So the motion to refer to General Orders was lost.
Mr. Oliver moved
To indefinitely postpone the consideration of the bill.
Mr. Pickler moved
To lay the motion on the table.
Which motion was lost.
The roll being called on the final passage of the bill, there were 33 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Pickler, Pierce, Riddell, Roach, Ruger, Steele, Sothwick, Swanton, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule.

Those who voted in the negative were:

Messrs. DeWoody, Johnson, McCumber, Oliver, Pugh, Runkle, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Huntington, Huston, Morgan, Parshall, Stevens, Stebbins, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 140. A bill for an act to provide for the organization of new counties.

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Johnson, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Huston, Helvig, Hutchinson, Langan, Miller, Pugh.

So the bill passed and its title was agreed to.

Council Bill No. 176. A bill for an act to reimburse Brown county for money paid out for taking care of certain paupers named in unorganized territory.

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Helvig, Johnson, Larson, Langan, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Gregg, McCall, Ruger, Swanton, Van Osdel.

Absent and not voting:
Messrs. Hobart, Hutchinson, Myron, Miller, Pierce.

Messrs. Huston and Martin being excused.

So the bill passed and its title was agreed to.

Council Bill No. 178. A bill for an act to amend section 553 of the Code of Criminal Procedure,
Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. McHugh and Oliver.

Absent and not voting:
Messrs. Hobart, Langan, Pickler, Pierce, Southwick, Stong.

Mr. Huston being excused.

So the bill passed and its title was agreed to.

Council Bill No. 183. A bill for an act to repeal section 4, chapter 99, Session Laws of 1881, and for other purposes,
Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pugh, Runkle, Riddell,

Roach, Steele, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. Oliver voted in the negative.

Absent and not voting:

Messrs. Gregg, Huston, Langan, Parshall, Pierce, Ruger, Southwick, Stevens, Swanton, Smith, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 188. A bill for an act to enable cities and municipal corporations to purchase and construct water works, and for other purposes,

Was read the third time and put upon its final passage.

Mr. Barnes moved

To refer the bill to the general orders.

Which motion prevailed.

Council Bill No. 200. A bill for an act to amend chapters 52 and 53 of the Laws of 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 17 votes in the affirmative, and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Gregg, Hutchinson, Larson, Myron, Miller, Martin, Morgan, Pickler, Roach, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Huntington, Helvig, Johnson, Langan, McCall, McCumber, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Southwick, Stevens, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Eldredge, Huston, Hobart, Riddell, Ruger, Steele.

So the bill was lost.

Council Bill No. 211. A bill for an act amending section 237 of the Code of Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Hobart, Langan, Riddell, Ruger, Steele, Southwick, Stevens, Smith.

Mr. Huston being excused.

So the bill passed and its title was agreed to.

Council Bill No. 212. A bill for an act to empower School District No. 78, of Walsh county, to issue bonds for school purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Hutchinson, Langan, McCumber, Ruger, Southwick, Van Osdel.

Messrs. Huston, Hobart and Helvig being excused.

So the bill passed and its title was agreed to.

Council Bill No. 213. A bill for an act to amend sections 25 and 26 of the city charter of Jamestown,

Was read the third time and put upon its final passage.

The roll being called there were 27 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Eldredge, Gregg, Huntington, Johnson, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Steele, Stevens, Smith, Stebbins, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Larson, Myron, Sprague, Stewart, Ward of Turner.

Absent and not voting:

Messrs. Clark, Dawson, DeWoody, Hutchinson, Langan, McCumber, Morgan, Pugh, Roach, Southwick, Swanton, Van Osdel.

Messrs. Huston, Hobart, Helvig and Ruger being excused from voting.

So the bill passed and its title was agreed to.

Council Bill No. 216. A bill for an act to amend sections 2 and 6 of chapter 1 of the charter of the city of Grafton, extending the boundaries of said city and providing for the election of justices of the peace,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huntington, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Langan, McCumber, Oliver, Pugh, Ruger, Swanton.

Messrs. DeWoody, Huston, Hobart and Helvig were excused from voting.

So the bill passed and its title was agreed to.

Council Bill No. 219. A bill for an act authorizing the county commissioners of Towner county to issue bonds, etc.,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Swanton voting in the negative.

Absent and not voting:

Messrs. Huston, Hobart, Helvig, Langan, McCumber, Pugh, Ruger.

So the bill passed and its title was agreed to.

Council Bill No. 227. A bill for an act to amend section 511 of the Code of Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pierce, Runkle, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Barnes voting in the negative.

Absent and not voting:

Messrs. Huston, Hobart, Helvig, Parshall, McCumber, Pugh, Ruger, Swanton.

So the bill passed and its title was agreed to.

Mr. Martin moved

To reconsider the vote by which the bill was passed.

Which motion prevailed, and the bill

On motion of Mr. Barnes,

Was recommitted to the committee on Judiciary.

Council Bill No. 236. A bill for an act legalizing the acts of John P. Belding, late acting sheriff of Lawrence county, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 31 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Larson, Myron, Miller, Martin, McCumber, Oliver, Parshall, Pickler, Runkle, Riddel, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore and McCall.

Absent and not voting:

Messrs. Barnes, DeWoody, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Morgan, McHugh, Pierce, Pugh, Ruger, Scott, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 246. A bill for an act creating the county of Eddy, defining its boundaries, and defining the boundaries of the county of Foster, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 26 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Huntington, Martin, McCall, McHugh, Oliver, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hutchinson, Larson, Myron, Parshall, Pugh, Stebbins, Scott.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Gregg, Huston, Hobart, Helvig, Johnson, Langan, Miller, McCumber, Morgan, Ruger, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 233. A bill for an act to incorporate the city of Millbank.

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Oliver, Pugh, Ruger, Scott, Williams.

So the bill passed and its title was agreed to.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for the consideration of

Substitute for

Council Bills Nos. 25 and 73,

And

House Bill No. 8,

With Mr. Oliver in the chair.

When the committee rose

It recommended the adoption of the report of the committee and the amendments made by them,

And recommended that the bill as amended do pass.

Mr. Oliver moved

To adopt the report of the committee.

Which motion prevailed.

Mr. Langan moved

To refer the bill to General Orders.

Which motion was lost.

The Speaker appointed the following special committee on Insurance bill:

Messrs. McCumber, Myron, Barnes, Johnson and Sprague.

Substitute for

Council Bills Nos. 25 and 73, and House Bill No. 8. A bill for an act establishing a board of railway commissioners, etc.

Was then read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Johnson, Larson, Myron, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens. Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Langan voting in the negative.

Absent and not voting:

Messrs. Gregg, Huston, Helvig, Hutchinson, Miller, McCall, Swanton.

So the bill passed and its title was agreed to.

The Speaker announced his signature to
Council Bill No. 144.

Also,
House Bill No. 228.

CONSIDERATION OF MESSAGES FROM THE COUNCIL.

Mr. McCumber moved that
The House concur in the Council amendments to
House Bill No. 25.

The ayes and nays were demanded.

The roll being called, there were 26 votes in the affirmative, and 19 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Dawson, DeWoody, Huntington, Helvig, Hutchinson, Johnson, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Ruger, Steele, Southwick, Stevens, Swanton, Stebbins, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Coe, Eldredge, Gregg, Hobart, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Runkle, Riddell, Roach, Sprague, Scott, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Barnes, Huston, Smith.

And so the House concurred in the Council amendment to

House Bill No 25.

Mr. Williams moved

That the Speaker appoint a committee of three on conference as to

Council Bill No. 39.

Which motion prevailed.

The Speaker appointed Messrs. Williams, Johnson and Barnes such committee.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 4, 1885.

MR. SPEAKER:

I herewith tansmit

Council Bill No. 21. A bill for an act authorizing the formation of county mutual insurance companies.

Also,

Council Bill No. 290. A bill for an act establishing the independent school district of Woonsocket, Sanborn county, Dakota.

Also,

Council Bill No. 302. A bill for an act to amend the charter of the city of Yankton, Dakota Territory, approved March 9, 1883.

All of which the Council have passed, and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

Mr. Williams gave notice of a motion to reconsider the vote by which

Council Bill No. 213

Was passed.

Mr. Steele, by unanimous consent, introduced

The following resolution:

Resolved, That the Council be requested to immediately return to this House all charges preferred against W. F. Steele, a member of this body, and that said charges shall be sworn to when preferred. Also, that a committee of five be appointed to investigate such charges, and it shall be their duty to make such investigation in the most positive manner.

Mr. Coe moved

To lay the resolution on the table.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a committee of the Whole, for the
Consideration of the general orders, with
Mr. Miller in the chair.

When the committee rose, the following report was made:

MR. SPEAKER:

Your committee have considered
Substitute for
House Bill No. 105,
Together with the report of the committee on Agriculture,
And recommend the passage of the bill as amended.

Also,
House Bill No. 134,
Together with the report of the committee on Judiciary amending the bill,
And recommend the adoption of the report and the passage of the bill as amended.

Also,
House Bill No. 204,
Together with the report of the committee on Judiciary,
And recommend the adoption of the report and the passage of the bill as amended.

Also,
House Bill No. 34,
And recommend that it be made a special order for tomorrow, March 5, 1885.

Also,
House Bill No. 15,
Together with the substitute bill as proposed by the Judiciary committee, and recommend an amendment by striking out the words "over 14 years of age," and insert in the place thereof "a person of suitable age and discretion," and the passage of the substitute bill as amended.

Also,
Council Bill No. 74,
Together with the report of the committee on Appropriations, making certain amendment, and recommend the adoption of the report and the passage of the bill as amended.

Also,

Recommend to the House that the House go into Committee of the Whole immediately after roll call to-morrow.

M. L. MILLER,
Chairman.

Mr. Coe moved
That the report be adopted.

Which motion prevailed.

Mr. Oliver moved
To adjourn.

Which motion prevailed.

Adjourned.

C. M. REED,
Chief Clerk House.

FIFTY-SECOND DAY.

BISMARCK, Thursday, March 5, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All the members present.

After roll call the Speaker called Mr. Sprague to the chair and was excused for the day.

The House then resolved itself into a committee of the Whole, with Mr. Williams in the chair, for the consideration of General Orders.

The committee arising temporarily to receive the following executive communication:

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 5, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bills Nos. 207, 196 and 228.

GILBERT A. PIERCE,
Governor.

And the following messages from the Council:

MESSAGES FROM THE COUNCIL.

BISMARCK, March 5, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 158. A bill for an act to establish the Central Dakota University at Ordway, Dakota.

Also,

House Bill No. 7. A bill for an act to relocate the Capitol of the Territory of Dakota.

Also,

House Bill No. 281. A bill for an act amending an act to incorporate the city of Chamberlain.

All of which the Council has passed this day.

I also return

House Bill No. 155. A bill for an act entitled an act to incorporate the city of Spearfish,

Which the Council recalled from the Governor's hands and amended as indicated in the bill, and to which amendment your concurrence is respectfully requested,

A. W. HOWARD,
Chief Clerk.

Mr. Martin moved

The House concur in Council amendments to House Bill No. 155.

Which motion prevailed.

BISMARCK, March 5, 1885.

MR. SPEAKER:

I return herewith

Council Bill No. 190. A bill for an act providing a new charter for the city of Fargo,

The same having been recalled for enrollment.

A. W. Howard,
Chief Clerk.

Mr. Oliver moved

To refer the bill to the special committee of the tenth district.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 5, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No. 252,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 25, 48, 74, 124, 203, 234,

And beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

The committee of the whole rose, and
On motion of Mr. Langan
The House adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTY-THIRD DAY.

BISMARCK, Friday, March 6, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the chaplain.

Roll called.

Messrs. DeWoody, Huston, Ruger, Miller, Steele, Stewart and Ward of Brule absent at roll call.

Mr. Stewart excused by reason of illness.

All others reported subsequently.

The conference committee on
Council Bill No. 39

Reported, recommending that the House recede from its amendments, and moved the adoption of the report.

Mr. DeWoody moved

To amend by referring to the general orders.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred.

House Bill No. 171. A bill for an act to locate, establish and endow a Territorial Normal School at Groton, Dakota,

Have had the same under consideration, and beg leave to report the same back with the recommendation that the same be referred to general orders without recommendation.

Also,

Council Bill No. 74. A bill for an act to locate and establish an asylum and school for the blind, at the village of Milbank, in Grant county, Dakota Territory,

Have had the same under consideration, and beg leave to report the same back with the following amendment attached to bill, with recommendation that the same do pass as amended.

Also,

House Bill No. 202. A bill for an to act to provide for the organization and government of the University of the Missouri, and for other purposes,

Have had the same under consideration, and beg leave to report back a substitute for the same, and recommend that the substitute do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

House Bill No. 286,

Have carefully considered the same, and recommend that the bill be amended so that wherever the word "Denver" appears in said bill, the word "Arlington" be inserted in lieu thereof, and that the bill so amended do pass.

M. L. MILLER,
Chairman.

Mr. Southwick moved
To adopt the report of the committee.
Which motion prevailed.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

House Bill No. 169. A bill for an act to provide a charter for the city of Clark,

Recommend that the bill do pass.

Also,

House Bill No. 212. A bill for an act to relocate the county seat of Spink county, Dakota,

Have had the same under consideration, and have amended the same by inserting after the word "Ashton," in the third line of section 5, the following: "If at the general election 1886, a majority of all the votes cast shall be in favor of any other town, but if no town receive a majority of all the votes cast at said election, then the said Ashton shall be and remain the permanent county seat of Spink county unless afterwards removed,"

And recommend that the bill do pass as amended.

Also,

House Bill No. 22. A bill for an act to regulate the names of towns, etc.,

Have had the same under consideration, and report it back and recommend that it be referred to general orders.

Also,

Council Bill No. 133. A bill for an act establishing civil townships in Traill county, Dakota,

Have had the same under consideration, and report it back with the following amendment, and recommend it do pass as amended.

Also,

House Bill No. 254. A bill for an act to provide for the organization of civil townships and the government of the same,

Have had the same under consideration, and report it back with the recommendation that it be referred to general orders.

M. L. MILLER,
Chairman.

MR. SPEAKER:

We, the undersigned, members of the committee on Towns and cities, to whom was referred

House Bill No. 212,

Do hereby report that said bill with amendments attached thereto be passed, and that the original bill do not pass.

E. T. HUTCHINSON.

BISMARCK, March 5, 1885.

MR. SPEAKER:

Your committee on Ways and Means, to whom was referred

Council Bill No. 217. A bill for an act to amend section 4 of the act entitled an act providing for the erection of a court house and jail in Walsh county, Dakota Territory,

Have had the same under consideration and report it back and recommend that the bill do pass.

Also,

House Bill No. 47. A bill for an act to amend section 17 of chapter 28 of the Political Code, subject, revenue,

Have had the same under consideration and report back a substitute, and recommend that the substitute bill do pass.

Also,

Council Bill No. 234. A bill for an act to fund the road and bridge indebtedness of Stutsman county, and providing for the issue and sale of bonds to pay the same.

Have had the same under consideration and report it back and recommend that the bill do pass.

Also,

Council Bill No. 248. A bill for an act to fund the indebtedness of Codington county,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,

Council Bill No. 278. A bill for an act authorizing the board of county commissioners of Cass county, Dakota Territory, to issue bonds for finishing and furnishing the court house,

Have had the same under consideration and report it back and recommend that the bill do pass.

Also,

Council Bill No. 277. A bill for an act authorizing the board of county commissioners of Cass county to issue bonds for the purpose of funding the indebtedness of the road and bridge fund,

Have had the same under consideration and report it back and recommend that the bill do pass.

Also,

House Bill No. 186. A bill for an act to provide for the erection of a court house and jail for the county of Clark, and for other purposes,

Have had the same under consideration and report it back with amendments, and recommend that the bill do pass as amended.

Also,

Council Bill No. 91. A bill for an act authorizing the county of Foster to issue bonds for the building of a court house, and for other purposes,

Have had the same under consideration, and report back a substitute bill, and recommend that the substitute bill do pass.

Also,

Substitute for

Council Bill No. 162. A bill for an act to provide for funding the indebtedness of Potter county, and for other purposes,

Have had the same under consideration, and report it back amended, and recommend that the bill as amended do pass.

Also,

Council Bill No. 218. A bill for an act to provide for funding the indebtedness of Sully county,

Have had the same under consideration, and report it back with amendments, and recommend that the bill do pass as amended.

Also,

Substitute for

Council Bill No. 174. A bill for an act to provide for funding the indebtedness of Hughes county, Dakota,

Have had the same under consideration, and report it back with amendments, and recommend that the bill do pass as amended.

E. B. DAWSON,
Chairman.

BISMARCK, March 4, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 273. A bill for an act creating a judicial sub-division of the sixth judicial district, and fixing the time for holding court therein,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 277. A bill for an act amending section 15 of the Justice Code,

And beg leave to report favorably, and recommend its passage..

Also,

House Bills Nos. 336 and 350,

And recommend their passage by this House.

Also,

House Bill No. 90. A bill for an act to amend sections 1 and 5 of chapter 43 of the Laws of 1883, and for other purposes,

And beg leave to submit herewith a substitute for said House Bill No. 90, and recommend that the substitute bill be considered favorably and passed by this House.

Also,

House Bill No. 217. A bill for an act to repeal section 760 of the criminal Code,

And recommend that the bill be amended by striking out the word "criminal" wherever it occurs therein, and insert instead thereof the word "penal," and when so amended, recommend that the bill be considered favorably and passed by this House.

Also,

House Bill No. 204. A bill for an act regulating the term of office of auditor in the counties of Cass, Grand Forks, Traill and Richland,

And would recommend that the word "Richland" be stricken out.

Your committee further recommend that with said amendment the bill be considered favorably and passed by this House.

Also,

House Bill No. 148. A bill for an act to assess chattel mortgages for county and territorial purposes and for the levy and collection of taxes thereon.

Also,

House Bill No. 122. A bill for an act to prevent the double taxation of real property,

And beg leave to recommend that the said bills be referred to the General Orders.

Also,

House Bill No. 141. A bill for an act to amend section 126 of the Code of Civil Procedure,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 15. A bill for an act relating to the foreclosure of chattel mortgages,

And submit herewith a substitute, and recommend that the said substitute bill be considered favorably and passed by this House.

Also,

Council Bill No. 120. A bill for an act to provide for contesting elections for county officers and for the location of county seats, and for other purposes,

And would recommend that the said bill be referred to committee on Elections.

Also,

Council Bill No. 16. A bill for an act relating to exemption of volunteer firemen as jurors and from paying poll tax in the Territory of Dakota,

And beg leave to report favorably and recommend its passage by this House.

E. W. MARTIN,
Chairman.

BISMARCK, March 6, 1885.

MR. SPEAKER:

Your committee on Education have had under consideration

Council Bill No. 265,

And recommend that the same do pass.

Also,

Council Bill No. 225,

Under consideration, and recommend that the same do pass.

Also,
Council Bill No. 229,
And recommend that the same do pass.

Also,
House Bill No. 271. A bill for an act to establish and provide for the maintenance of a general and uniform system of common schools and improve their usefulness,

Beg leave to report that they have carefully considered the same and recommend that the same do pass as amended.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee on Judiciary, to whom was referred
House Bill No. 139,
Beg leave to report that they have had the same under consideration, and have prepared a substitute herewith presented, and recommend that said substitute do pass.

E. W. MARTIN,
Chairman.

Mr. Barnes moved
The adoption of the report of the committee.
Which motion prevailed.

MR. SPEAKER:

Your committee on Counties, to whom was referred
House Bill No. 364,
Have considered the same and recommend that it do pass.

Also,
Council Bill No. 108,
Upon due consideration, have amended the same, and report that it do pass as amended.

Also,
House Bill No. 125,

Upon due consideration would report back the same without recommendation.

Also,
House Bill No. 179. A bill for an act to amend section 7, chapter 21 of the Political Code,
And present a substitute therefor, and recommend that the substitute do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee have had under consideration
Council Bill No. 171,
And recommend that the same do pass.

S. E. STEBBINS,
Chairman.

MR. SPEAKER:

Your committee on railroads, to whom was referred
House Bill No. 182,
Beg leave to report the same back to the House without recommendation.

E. HUNTINGTON,
Chairman.

MR. SPEAKER:

Your committee on Public Printing, to whom was referrrd

House Bill No. 310. A bill for a Joint Resolution to provide for the payment of printing and binding Council and House Journals for the Sixteenth Legislative Assembly,

Have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

A. J. PARSHALL,
Chairman.

BISMARCK, March 6, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No. 7,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bill No. 281,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bills Nos. 97, 142, 167 and 248.
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
Beg leave to report that we have this 6th day of March, 1885, at 4 o'clock p. m., presented

House Bills Nos. 97, 142, 167 and 248
To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 6th day of March, 1885, at 2:30 o'clock p. m., presented
House Bills Nos. 7, 25, 48, 74, 124, 203, 234, 252 and 281
To His Excellency the Governor for his signature and approval.

Also,

Have examined and compared the following bills:
House Bills Nos. 87, 146, 188, 189, 190, 192 and 221,
And report that we find them correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 201. A bill for an act prescribing the time and place for holding the district court exercising the powers and jurisdiction of the district and circuit courts of the United States within the Second Judicial District,
Have had the same under consideration, and beg leave to report the same back with the following amendments, and recommend that the bill as amended do pass:

Amend section 1 by striking out the words "third Tuesday of May and the first Tuesday of December," where they occur in the seventh and eighth lines of said section 1, and insert in the place thereof: "second Tuesday of April and the first Tuesday of November."

W. F. STEELE,
Chairman.

RESOLUTIONS.

Mr. Riddell introduced the following resolution:

Be it Resolved, By the House of Representatives of the Sixteenth General Assembly of the Territory of Dakota,
That E. L. Signor shall receive for each day actually employed as mail carrier for this House the sum of three dollars; and that Charles Simpson shall receive for each day actually employed as doorkeeper of the gallery, the sum of two dollars, said amounts to be paid by the treasurer of the Territory after being audited and allowed by the honorable Speaker and chief clerk of the House.

Which resolution was adopted.

Mr. Miller introduced the following resolution:

Resolved, That the members of the Legislative Assembly of Dakota now in session, extend to His Excellency the President of the United States, Grover Cleveland, their hearty congratulations and their earnest support in all good government.

Which resolution was adopted.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 6, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 71. A bill for an act to amend section 47 of chapter 27, Revised Code, granting women the right of suffrage,

Which the Council has amended as therein indicated, and to which your concurrence is respectfully requested.

Also,

Council Bill No. 201. A bill for an act to amend section 5, chapter 5 of the Political Code.

Also,

Council Bill No. 262. A bill for an act to amend sections 402 and 515 of the Civil Code of Dakota Territory.

Also,

Council Bill No. 291. A bill for an act providing for the funding of the outstanding indebtedness of the city of Mitchell.

Also,

Council Bill No. 292. A bill for an act entitled an act to vacate certain blocks in Marion Junction.

Also,

Council Bill No. 304. A bill for an act to vacate North Tyndall, in the county of Bon Homme.

All of which the Council have passed, and a concurrence by your honorable body is respectfully requested.

Also,

House Bill No. 258. A bill for an act authorizing the board of county commissioners of Union county to refund the outstanding indebtedness thereof.

Also,

Substitute for
House Bill No. 99. A bill for an act to amend an act to incorporate the city of Aberdeen.

Also,
House Bill No. 93. A bill for an act to create a Territorial Department of Agriculture, and relating to agricultural societies and agricultural fairs, and providing for reports of the same.

All of which the Council has passed with amendments as attached to the respective bills, and to which your concurrence is respectfully requested.

Also,
Council Bill No. 317. A bill for a Joint Resolution providing for extra services of engrossing clerks and payment for their services.

Which the Council has this day passed, and to which your concurrence is respectfully requested.

Very respectfully,
A. W. HOWARD,
Chief Clerk.

The Speaker announced his signature to
House Bills Nos. 281, 252, 203, 124, 25, 48, 74, 234, 7.

Mr. Martin moved that
House Bill No. 38. A bill for an act to incorporate the village of Webster,
Be amended by striking out of subdivision 23, section 15, the words "required and it shall be their duty," and inserting instead thereof the word "authorized."

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House then went into Committee of the Whole,
With Mr. Williams in the chair.

When the committee rose, the following report was submitted:

MR. SPEAKER:
Your committee of the Whole have had under consideration
House Bill No 22,
Together with the report of the committee on Towns and Cities, and recommend the passage of the bill.

Also,
House Bill No. 90,

Together with the substitute bill proposed by the Judiciary committee, and recommend the adoption of the substitute bill and that the substitute bill be passed by the House.

Also,

House Bill No. 125,

And recommend that the further consideration of the bill be indefinitely postponed.

Also,

House Bill No. 179,

And the substitute bill proposed by the committee on Counties, and recommend the adoption of the substitute bill and that the substitute bill be passed.

Also,

House Bill No. 181,

Together with the amendments proposed by the committee on Judiciary, and recommend it be referred to a committee of three to report to-morrow.

Also,

House Bill No. 182,

And recommend that the bill be recommitted to the committee on Railroads.

Also,

House Bill No. 217,

Together with the report of the committee on Judiciary, and recommend the adoption of the amendment proposed by the committee, and recommend the passage of the bill when so amended.

Also,

House Bill No. 28,

And recommend that it be recommitted to the committee on Railroads.

Also,

House Bill No. 174,

With the amendments proposed by the committee on Education, and recommend the adoption of the amendments, and that the bill when so amended do pass.

Also,

House Bill No. 199,

And recommend that the bill be recommitted to the committee on Judiciary.

Also,

House Bill No. 254,
And recommend that the bill as amended do pass.

Also,
House Bill No. 268,
And recommend that the bill do pass.

Also,
House Bill No. 212,
And recommend the adoption of the amendments of the committee on Counties, and that the bill as amended do pass.

Also,
Council Bill No. 144,
And recommend the adoption of the amendment of the committee on Towns and Cities, and the bill as amended do pass.

Also,
Council Bill No. 23,
And recommend the adoption of reports of committee, and that the bill as amended do pass.

Also,
Council Bill No. 83,
And recommend that the bill do pass.

Also,
Council Bill No. 165,
And recommend that the amendments of committee be adopted, and that the bill as amended do pass.

Also,
Council Bill No. 108,
And recommend that the amendments of committee be adopted, and that the bill as amended do pass.

Also,
Council Bill No. 133,
And recommend that the bill be recommitted to the committee on Towns and Cities.

Also,
Council Bill No. 139,
And recommend that the bill do pass.

Also,
Council Bill No. 167,
And recommend that the amendments of committee be adopted, and that the bill as amended do pass.

Also,

Council Bill No. 66,

And recommend that the bill as amended do pass.

Also,

Council Bill No. 185,

And recommend that the amendments of committee be adopted, and that the bill as amended do pass.

Also,

Council Bill No. 202,

And recommend that the bill as amended by committee do pass.

Also,

Council Bill No. 91,

And recommend that the substitute bill and report of committee be adopted.

Also,

Council Bill No. 171,

And recommend that the bill as amended by committee do pass.

Also,

House Bill No. 47,

And recommend that the substitute bill do pass.

Also,

House Bill No. 122,

And recommend that consideration of this bill be indefinitely postponed.

Also,

House Bill No. 148,

And recommend the consideration of the bill be indefinitely postponed.

Also,

House Bill No. 141,

And recommend the passage of the bill.

Also,

House Bill No. 171,

And recommend that the bill do pass as amended by striking out section 16.

Also,

House Bill No. 202,

And recommend that the substitute bill do pass.

Also,

House Bill No. 266,

And recommend that the bill do not pass.

Also,

House Bill No. 201,

And recommend that the bill as amended by the committee do pass.

Also,

Council Bill No. 16,

And recommend that the bill do pass.

Also,

Council Bill No. 120,

And recommend that the bill be recommitted to committee on Elections.

Also,

Council Bill No. 152,

And recommend that the bill do pass.

Also,

Council Bill No. 162,

And recommend that the bill as amended do pass.

Also,

Council Bill No. 174,

And recommend that the bill as amended do pass.

Also,

Council Bill No. 218,

And recommend that the bill as amended do pass.

Moved that committee arise and report progress.

E. A. WILLIAMS,
Chairman.

INTRODUCTION OF BILLS.

Mr. Williams introduced—

House Bill No. 360. A bill for an act to change the name of Victoria, in McLean county, to Coal Harbor,

Which was read the first time, and

On motion of Mr. Williams,

The rules were suspended, the bill read the second and third times and put upon its final passage.

The roll being called, there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Miller, Pugh, Smith, Stewart.

So the bill passed and its title was agreed to.

Mr. Morgan introduced, by request—

House Bill No. 361. A bill for an act making an appropriation for the construction of a sewer and cesspool for the building occupied by the Sixteenth Legislative Assembly,

Which was read the first and second times and referred to the committee on Appropriations.

Mr. Steele, by request, introduced—

House Bill No. 362. A bill for an act to amend Council Bill No. 79 of the Special Laws of 1883,

Which was read the first and second times and referred to the committee on Ways and Means.

Mr. Runkle introduced—

House Bill No. 363. A bill for an act to incorporate the city of Salem, in McCook county,

Which was read the first and second times and referred to the committee on Counties.

Mr. Johnson introduced—

House Bill No. 364. A bill for an act creating the county of Adams, and for other purposes,

Which was read the first time, and

On motion of Mr. Johnson,

The rules were suspended, and

The bill read the second and third times and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Hobart, Helvig, Johnson, Miller, McCall, Morgan, Oliver, Parshall, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Eldredge, Hutchinson, Myron, Runkle.

Absent and not voting:

Messrs. Coe, DeWoody, Gregg, Huntington, Huston Larson, Langan, Martin, McCumber, McHugh, Pickler, Stong, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Pickler introduced—

House Bill No. 365. A bill for an act to regulate the receiving and transportation of fuel on the railroads of this Territory,

Which was read the first and second times and referred to the committee on Railroads.

Mr. Oliver introduced—

House Bill No. 366. A bill for an act to change the name of the town of Marshall to Englevale,

Which was read the first time, and

On motion of Mr. Oliver,

The rules were suspended, and

The bill read the second and third times and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Steele, Stewart, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Rice introduced—

House Bill No. 367. A bill for an act to amend an act entitled an act to incorporate the village of Flandreau,

Which was read the first time, and

On motion of Mr. Williams,

The rules were suspended, and

The bill read the second and third times and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Gregg, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Eldredge, Huntington, Huston, Steele, Stewart, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Huntington, by request, introduced—

House Bill No. 368. A bill for an act to pay for the steam heating apparatus in the Capitol building at Bismarck,

Which was read the first and second times and referred to the committee on Appropriations.

Mr. McCumber introduced—

House Bill No. 369. A bill for an act establishing independent school district of Walcott,

Which was read the first time, and

On motion of Mr. McCumber,

The rules were suspended,

The bill read the second and third times and put upon its final passage.

The roll being called there were 35 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Coe, Dawson, Gregg, Huntington, Hobart, Langan, Parshall, Pickler, Ruger, Steele, Stong.

So the bill passed and its title was agreed to.

Mr. Eldredge introduced—

House Bill No. 370. A bill for an act to provide for the outstanding indebtedness of Big Stone school township,

Which was read the first time, and
On motion of Mr. Eldredge,
The rules were suspended,
The bill read the second and third times and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, Parshall, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Barnes, Coe, Dawson, Huntington, Hobart, McCall, McHugh, Oliver, Pickler, Pugh, Steele.

Mr. Sprague being excused.

So the bill passed and its title was agreed to.

Mr. Williams introduced—
House Bill No. 371. A bill for an act to change the name of Walter F. Jones to Walter F. Cushing,

Which was read the first time, and
On motion of Mr. Williams,
The rules were suspended,
The bill read the second and third times and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Langan and Stebbins.
Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Huntington, Hobart, Myron, McCall, Parshall, Pickler, Pugh, Ruger, Swanton, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Steele introduced—

House Bill No. 372. A bill for an act to amend an act entitled an act defining the boundaries of Kidder county,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 312. A bill for an act to promote the construction of the Sioux Falls, Fairbank & Western railroad,

Read the second time and referred to the committee on Railroads.

House Bill No. 315. A bill for an act to amend the charter of the city of Elk Point,

Was read the second time, and

On motion of Mr. Larson,

The rules were suspended,

The bill read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody Eldredge, Gregg, Huston, Hobart, Helvig. Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Huntington, Martin, Oliver, Pickler, Steele, Stewart, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 316. A bill for an act to amend section 32 of chapter 28 of Political Code, entitled revenue,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 317. A bill for an act to prevent changes in the lines of organized counties,

Read the second time and referred to the committee on Counties.

House Bill No. 318. A bill for an act to provide for the return of patients from Hospital for the Insane to their homes,

Read the second time and referred to the committee on Charitable Institutions.

House Bill No. 319. A bill for an act to amend chapter 99 of the General Laws of Dakota, entitled an act for the levy and collection of taxes upon railroad companies,

Read the second time and referred to the committee on Railroads.

House Bill No. 321. A bill for an act to provide for the publication of laws in the several newspapers of the territory,

Read the second time and referred to committee on Public Printing.

THIRD READING OF HOUSE BILLS.

House Bill No. 179. A bill for an act to amend section 1, chapter 19, Laws of 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 45 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Steele, Stewart.

So the bill passed and its title was agreed to.

House Bill No. 217. A bill for an act entitled an act to repeal section 760 of the Penal Code,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Roach, Ruger, Steele, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 174. A bill for an act establishing Independent School District No. 1, Traill county,

Was read the third time and put upon its final passage.

The roll being called there were 43 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Pugh, Steele, Stewart, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 254. A bill for an act to amend an act to provide for the organization of civil townships and the government of the same,

Was read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Pickler, Southwick, Stewart, Ward of Turner, Williams.

So the bill passed and its title was agreed to.

House Bill No. 268. A bill for an act abolishing the office of county assessor in certain counties and creating the office of district assessor,

Was read the third time and put upon its final passage.

The roll being called there were 40 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Oliver, Runkle.

Absent and not voting:

Messrs. Langan, Ruger, Stewart, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Substitute for

House Bill No. 139. A bill for an act to prohibit the licensing or sale of intoxicating liquors within one mile of Iroquois and Denver when no license is granted in Kingsbury county,

Was read the third time and put upon its final passage.

The roll being called there were 42 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddel, Roach, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Gregg, McHugh, Sprague.

Absent and not voting:
Messrs. Ruger, Stewart.

So the bill passed and its title was agreed to.

House Bill No. 310. A bill for a Joint Resolution to provide for the payment of the printing and binding of the Council and House Journals for the Sixteenth Legislative Session,

Was read and recommitted to the committee on Public Printing.

House Bill No. 212. A bill for an act to relocate the county seat of Spink county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens. Smith. Sprague, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Hobart, Helvig, Larson, Langan, McHugh, Pierce, Southwick, Swanton, Stebbins, Scott, Williams.

Absent and not voting:
Messrs. Hutchinson, Johnson, Stewart.

So the bill passed and its title was agreed to.

Mr. Pickler moved

To reconsider the vote by which the bill passed, and to lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 29 votes in the affirmative, and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stong, Van Osdel, Ward of Turner, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Hobart, Helvig, Larson, Langan, McHugh, Pierce, Southwick, Swanton, Stebbins, Scott, Williams, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Hutchinson, Johnson, Oliver, Stewart.

So the motion prevailed.

House Bill No. 273. A bill for an act creating a judicial sub-division of the sixth judicial district, and fixing the time for holding court therein,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Coe, Langan, Pickler, Van Osdel, Ward of Turner, Williams.

So the bill passed and its title was agreed to.

House Bill No. 277. A bill for an act to amend section 15 of the Justice's Code,

Was read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, McHugh, Pickler, Stewart, Williams.

So the bill passed and its title was agreed to.

Substitute for

House Bill No. 90. A bill for an act to amend sections 1 and 5 of chapter 43, Laws of 1883, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 29 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Clark, Coe, Dawson, Huntington, Huston, Helvig, Larson, Langan, Martin, McCall, McCumber, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, DeWoody, Eldredge, Hobart, Myron, Miller, Morgan, Oliver, Pickler, Southwick, Stevens, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Hutchinson, Johnson, Stewart.

So the bill passed and its title was agreed to.

Mr. Blakemore moved

To reconsider the vote by which the by which the bill was passed.

Mr. Smith moved

To lay it on the table.

The ayes and nays were demanded.

The roll being called, there were 31 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Langan, Martin, McCall, McCumber, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Dawson, DeWoody, Eldredge, Hobart, Larson, Myron, Miller, Morgan, Oliver, Pickler, Southwick, Stevens, Van Osdel, Williams.

Absent and not voting:

Mr. Stewart.

So the motion prevailed.

House Bill No. 22. A bill for an act to regulate the changing of the names of towns, etc.,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Hutchinson, Johnson, McHugh, Oliver, Stewart.

So the bill passed and its title was agreed to.

House Bill No. 169. A bill for an act to provide a charter for the city of Clark,

Was read the third time and put upon its final passage.

The roll being called, there were 42 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, McHugh, Oliver, Parshall, Pickler, Williams.

So the bill passed and its title was agreed to.

House Bill No. 15. A bill for an act relating to the foreclosure of Chattel mortgages,

Was read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Mr. Scott voting in the negative.

Absent and not voting:

Messrs. Eldredge, Larson, McHugh, Parshall, Pickler,

So the bill passed and its title was agreed to.

Steele, Stewart, Williams, Ward of Brule.

House Bill No. 204. A bill for an act regulating the term of office of auditor in the counties of Cass, Grand Forks and Traill,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens. Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Gregg, Huston, McHugh, Parshall, Pickler, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 134. A bill for an act to provide for

transcribing the records in Edmunds and McPherson counties,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Larson, McHugh, Oliver, Parshall, Pickler, Steele, Stewart, Williams, Ward of Brule.

So the bill passed and its title agreed to.

Substitute for

House Bill No. 105. A bill for an act to establish a fence law in the counties of Fall River, Custer, Pennington, Lawrence and Butte,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron, McCumber, Oliver.

Absent and not voting:

Messrs. Dawson, DeWoody, McHugh, Pierce, Stewart, Williams.

So the bill passed and its title was agreed to.

House Bill No. 286. A bill for an act to change the name of the village of Nordland, in Kingsbury county,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. McCall, McHugh, Stewart, Williams.

So the bill passed and its title as amended agreed to.

House Bill No. 349. A bill for an act to legalize the assessment of Butte county for the year 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stong, Van Osdel, Ward, of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting.

Messrs. Blakemore, DeWoody, Hobart, Langan, Miller, Pickler, Stebbins, Stewart, Williams.

So the bill passed and its title was agreed to.

Mr. Ward, of Brule, moved

The House take a recess of one hour.

Which motion prevailed.

After recess the third reading of House Bills was continued.

House Bill No. 351. A bill for an act defining the boundaries of Oliver and Mercer counties, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Gregg, Langan, Miller, Riddell, Stewart, Van Osdel, Williams.

Messrs. Martin, and Sprague being excused from voting.

So the bill passed and its title was agreed to.

House Bill No. 202. A bill for an act to provide for the organization and government of the University of the Missouri, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 24 votes in the affirmative and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hutchinson, Johnson, Langan, Miller, McCall, McCumber, Morgan, Oliver, Pierce, Pugh, Roach, Steele, Smith, Stebbins, Scott, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Hobart, Helvig, Larson, Myron, Martin, Parshall, Runkle, Riddell, Ruger, Southwick, Swanton, Sprague, Stong, Van Osdel.

Absent and not voting:

Messrs. Huntington, McHugh, Pickler, Stevens, Stewart, Ward of Turner, Williams.

So the bill passed and its title was agreed to.

Mr. Steele moved

To reconsider the vote by which the bill passed.

Which motion prevailed, and

Section 11 was amended as follows:

By adding to the first sentence therein after the word "board," being the last word in said sentence, the following: "not to exceed in all the sum of one hundred dollars."

House Bill No. 141. A bill for an act to amend section 126, Code of Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Hutchinson, Larson, McCumber, Morgan, Oliver, Pierce, Pugh, Roach, Steele, Southwick, Smith, Stebbins, Scott, Stewart, Stong, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron, Miller, Martin, McHugh, Parshall, Runkle, Riddell, Swanton, Sprague, Van Osdel.

Absent and not voting:

Messrs. Gregg, Huntington, Helvig, Johnson, Langan, McCall, Pickler, Ruger, Stevens, Williams.

Mr. Ward, of Turner, being excused.

So the bill passed and its title was agreed to.

House Bill No. 171. A bill for an act to locate, establish and endow a Territorial Normal School at Groton, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, McCumber, Morgan, Oliver, Pierce, Pugh, Roach, Steele, Southwick, Stebbins, Scott, Stewart, Stong, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Langan, McCall, Parshall, Runkle, Riddell, Ruger, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Huntington, McHugh, Pickler, Stevens, Williams,

Mr. Martin being excused.

So the bill passed and its title was agreed to.

House Bill No. 201. A bill for an act prescribing the time and place for holding the district court exercising the power and jurisdiction of the district and circuit courts of the United States, within the Second Judicial District,

Was read the third time and put upon its final passage.

A call of the House was demanded, and
On motion of Mr. Oliver,
Further proceedings under the call were dispensed with.

Mr. Van Osdel moved
To refer to committee on Judiciary.

Mr. Ward, of Brule, moved
To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 24 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark Coe, DeWoody, Huntington, Huston, Hobart, Hutchinson, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pugh, Roach, Ruger; Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Langan, Myron, Miller, Martin, Pickler, Pierce, Riddell; Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Messrs. Eldredge, Johnson, Runkle and Mr. Speaker being excused.

And so the motion prevailed.

The roll being called on the final passage of the bill, there were 25 votes in the affirmative and 19 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Larson, Langan Myron, Miller, Martin, Pickler, Pierce, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Messrs. Eldredge, Johnson, Runkle and Mr. Speaker were excused.

So the bill passed and its title was agreed to.

Mr. Ward, of Brule, moved

To reconsider the vote by which the bill was passed and lay the motion on the table.

Which motion prevailed.

House Bill No. 220. A bill for an act to provide for the taxation of express companies,

Was read the third time and put upon its final passage.

The roll being called there were 23 votes in the affirmative and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, DeWoody, Eldredge, Huntington, Huston, Hutchinson, Johnson, Miller, McCumber, Morgan, McHugh, Oliver, Pierce, Pugh, Roach, Steele, Stevens, Smith, Stebbins, Scott, Stewart, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Helvig, Larson, Langan, Myron, McCall, Parshall, Runkle, Riddell, Ruger, Southwick, Swanton, Sprague, Stong, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Gregg, Hobart, Martin, Pickler, Williams.

So the bill passed and its title was agreed to.

The Speaker announced his signature to

Council Bills Nos. 78, 15, 75, 57, 70, 56.

Also,

House Bills Nos. 97, 142, 167, 248.

Also,

Substitute for

Council Bills Nos. 25 and 73,

And

House Bill No. 8.

The committee on enrolled bills was

On motion of Mr. Steele

Ordered to hold

House Bill No. 5.

Mr. Steele, by unanimous consent, introduced—

House Bill No. 372,

And moved to suspend the rules and have
The bill read the first, second and third times.

Which motion prevailed.

House Bill No. 336. A bill for an act to change the names of Andreas Anderson, Seymour Anderson, Anna Anderson, Clara M. Anderson, and Carl A. Anderson to Andreas A. Frydenlund, etc.,

Was read the third time and put upon its final passage.

The roll being called there were 35 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Blakemore, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler. Pierce, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Parshall, Smith.

Absent and not voting:
Messrs. Bayard, Clark, Coe, Huntington, Helvig, Larson, Langan, Pugh, Steele, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 350. A bill for an act to change the names of Edward C. Hitchcock and Louise J. Hitchcock to Edward C. Brelsford and Louise Jane Brelsford,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. DeWoody, Langan, Parshall, Runkle, Smith.

Absent and not voting:

Messrs. Clark, Coe, Huntington, Larson, Pugh, Steele, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Johnson moved

To concur in the Council amendments to

House Bill No. 99,

And Substitute for House bill amending the act incorporating the city of Aberdeen,

Was read the first, second and third times and put upon its final passage.

The roll being called there were 35 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker,

Those who voted in the negative were:

Messrs. Barnes, Myron, Smith.

Absent and not voting:

Messrs. Coe, DeWoody, Huston, Larson, Langan, Runkle, Steele, Swanton, Van Osdel.

Mr. Pierce excused.

So the bill passed and its title was agreed to.

House Bill No. 364. A bill for an act creating the county of Adams, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Mr. Smith voting in the negative.

Absent and not voting:

Messrs. Clark, Coe, DeWoody, Huston, Larson, Langan, Runkle, Steele, Swanton, Van Osdel.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 257. A bill for an act providing for a school board for the city of Lisbon, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Johnson, Larson, Langan, Pickler, Williams.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 21. A bill for an act authorizing the formation of county mutual insurance companies,

Was read the first time.

Council Bill No. 290. A bill for an act establishing the Independent School District of Woonsocket, Sanborn county, Dakota,

Was read the first time.

Council Bill No. 302. A bill for an act to amend the charter of Yankton, Dakota,

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 21. A bill for an act authorizing the formation of county mutual insurance companies, Read the second time and referred to the committee on Insurance.

Council Bill No. 290. A bill for an act establishing the Independent School District of Woonsocket, Sanborn county, Dakota,

Read the second time and referred to the committee on Education.

Council Bill No. 302. A bill for an act to amend the charter of Yankton, Dakota,

Read the second time and referred to the committee on Towns and Cities.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 144. A bill for an act for the incorporation of the city of Scotland,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Coe, Dawson, DeWoody, Langan, Myron, McHugh, Parshall, Steele, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 133. A bill for an act establishing civil townships in Traill county,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Myron, McHugh, Parshall, Pugh, Ruger, Southwick, Smith, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 185. A bill for an act to incorporate the city of Madison,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Coe, Myron, McHugh, Parshall, Ruger, Steele, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 202. A bill for an act granting a charter to the city of Columbia,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig. Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Myron, McHugh, Parshall, Pugh, Ruger, Smith, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 133. A bill for an act establishing civil townships in Traill county,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and no vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel.

Absent and not voting:

Messrs. Coe, DeWoody, Huntington, Helvig, Langan, Pugh, Riddell, Roach, Ruger, Southwick, Stevens, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 229. A bill for an act establishing independent school district of Canova, Miner county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Clark, Coe, Dawson, Miller, McHugh, Oliver, Parshall, Pugh, Ruger, Smith, Williams.

So the bill passed and its title was agreed to.

Mr. Steele moved

To suspend the rules, and read

House Bill No. 372

A second and third times.

Which motion was lost.

Council Bill No. 225. A bill for an act to improve the public school system of the city of Pierre,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McHugh, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Gregg, Huntington, Hobart, Martin, McCumber, Morgan, Oliver, Parshall, Pugh, Ruger, Stewart.

So the bill passed and its title was agreed to.

Council Bill No. 265. A bill for an act to establish independent school district of Howard, Miner county,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, McCall, Morgan, McHugh, Pickler, Pierce, Runkle, Riddel, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Parshall voting in the negative.

Absent and not voting:

Messrs. Barnes, Eldredge, Huntington, Hobart, Langan, Martin, McCumber, Oliver, Pugh, Ruger, Southwick, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 83. A bill for an act to amend section 15, chapter 21, Revised Code,

Was read the third time and put upon its final passage.

The roll being called, there were 19 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Gregg, Huntington, Larson, Miller, Martin, McCall, McHugh, Pickler, Runkle, Riddell, Swanton, Smith, Sprague, Scott, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Coe, Dawson, DeWoody, Huston, Helvig, Hutchinson, Johnson, Langan, Myron, Morgan, Oliver, Parshall, Pierce, Roach, Ruger, Southwick, Stevens, Stebbins, Stong, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Eldredge, Hobart, McCumber, Pugh, Steele, Stewart.

So the bill was lost.

Council Bill No. 165. A bill for an act entitled an act to amend section 656 of the Civil Code,

Was read the third time and put upon its final passage.

The roll being called there were 31 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, DeWoody, Huston, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pierce, Runkle, Riddell, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Helvig, Hutchinson, Oliver, Parshall, Pugh, Smith.

Absent and not voting:

Messrs. Bayard, Eldredge, Gregg, Hobart, Langan, Roach, Swanton, Scott, Stewart, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 277. A bill for an act authorizing the board of county commissioners of Cass county to issue bonds for the purpose of funding the indebtedness of the road and bridge fund,

Was read the third time and put upon its final passage.

The roll being called there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith; Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams. Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, McCumber, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 278. A bill for an act authorizing the board of county commissioners of Cass county, Dakota Territory, to issue bonds for finishing and furnishing the court house,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Hutchinson, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 248. A bill for an act to fund the indebtedness of Codington county,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Coe, Martin, Morgan, Sprague, Stewart. Van Osdel, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 234. A bill for an act to fund the road and bridge indebtedness of Stutsman county, and providing for the issue and sale of bonds to pay the same,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens. Swanton, Smith, Stebbins, Scott, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Martin, Sprague, Stewart, Stong, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 45. A bill for an act (substitute) to establish territorial and county board of health and providing for the protection of the health of persons and animals,

Was read the third time.

Mr. Oliver moved

To lay the substitute and amendments on the table.

The ayes and nays were demanded.

The roll being called, there were 16 votes in the affirmative and 27 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. DeWoody, Huntington, Huston, Johnson, Larson, Morgan, McHugh, Oliver, Runkle, Riddell, Steele, Sprague, Stebbins, Scott, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Hobart, Helvig, Hutchinson, Langan, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Pierce, Pugh, Roach, Southwick, Stevens, Swanton, Smith, Stong, Ward of Turner.

Absent and not voting:
Messrs. Coe, Ruger, Stewart, Van Osdel, Williams.

So the motion was lost.

Mr. Barnes moved
To refer to General Orders.

Which motion prevailed.

Council Bill No. 217. A bill for an act to amend section 4 of the act entitled an act providing for the erection of a court house and jail in Walsh county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Miller, Ruger, Stewart.

So the bill passed and its title was agreed to.

CONSIDERATION OF MESSAGES FROM THE COUNCIL.

Mr. Smith moved
To concur in Council amendments to
House Bill No. 93.

Which motion prevailed.

Mr. Larson moved
To concur in Council amendments to
House Bill No. 258.

Which motion prevailed.

Mr. Johnson moved
To concur in
Council substitute bill No. 99.

Mr. Pickler moved
That the House do not concur in Council amendments to
House Bill No. 71,
And that a committee of conference of three be appointed.

A call of the House demanded.

Mr. Miller moved
To dispense with further proceedings under the call.

Which motion prevailed.

The ayes and nays were demanded on original motion.

The roll being called there were 28 votes in the affirmative and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Gregg, Huntington, Hobart, Hutchinson, Johnson, Langan, Miller, Martin, McCall, Morgan, Oliver, Parshall, Pickler, Pierce, Riddell, Roach, Steele, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. DeWoody, Eldredge, Helvig, Larson, Myron, McCumber, McHugh, Pugh, Runkle, Ruger, Swanton, Van Osdel.

Absent and not voting:
Messrs. Barnes, Coe, Dawson, Huston, Southwick, Stong, Stevens, Williams.

So the motion prevailed.

Mr. Oliver moved that
House Bill No. 186
Be taken from the general orders.

Which motion prevailed, and
On motion of Mr. Pickler,
The amendments proposed by the committee on Ways and Means were adopted, and
House Bill No. 186
Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Roach, Steele, Swanton, Smith, Sprague, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting.

Messrs. Coe, DeWoody, Eldredge, Hobart, Langan, Riddell, Ruger, Southwick, Stevens, Stebbins, Williams.

So the bill passed and its title was agreed to.

Mr. Barnes moved

That the House consider general orders immediately after roll call.

Which motion prevailed.

Mr. Martin moved

That when this House adjourns, it adjourn to meet tomorrow at 2 o'clock p. m.

Mr. Langan moved

To adjourn.

Which motion prevailed.

Adjourned.

C. M. REED,
Chief Clerk House.

FIFTY-FOURTH DAY.

BISMARCK, Saturday, March 7, 1885.

The House met at 2 o'clock p. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All the members present.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a committee of the Whole, with

Mr. Parshall in the chair.

When the committee rose the chairman made the following report:

MR. SPEAKER:

Your committee of the Whole have considered
House Bill No. 183,

With the amendment made by the committee on Ways and Means,

And recommend the adoption of the amendment and the passage of the bill as amended.

Also,
House Bill No. 220,

And recommend that the bill be referred to Messrs. McCumber, Martin and Langan, to report Monday next.

Also,
Council Bill No. 102,
And recommend that the substitute bill do pass.

Also,

House Bill No. 263,

And recommend that the bill be laid on the table.

Also,

Council Bill No. 156,

Together with the report of the special committee,

And recommend that the bill do pass as amended by the committee.

Also,

House Bill No. 269,

And recommend that it be referred to the Gereral Orders.

Also,

House Bill No. 275,

And recommend the passage of the bill as amended.

Also,

House Bill No. 278,

Together with the amendment proposed by the committee on Judiciary,

And recommend that section 3 be amended by inserting after the "kill" in the second line the following: "Sell or expose for sale," and add to section 1, "that the open season for all migratory birds of the snipe, plover or curlew species, shall be from the 1st of March to the 1st of November each year.

And your committee further recommend to the House that the bills considered be put upon their final passage.

A. J. PARSHALL,
Chairman.

Mr. Williams moved

To adopt the report of the committee.

Which motion prevailed,

And the bills were put upon their final passage.

Council Bill No. 156. A bill for an act to revise and amend article 11 of the Civil Code,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Helvig, Larson, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Huntington, Hobart, Johnson, Langan, Myron, Oliver, Runkle, Swanton, Van Osdel.

Absent and not voting:

Messrs. DeWoody, Hutchinson, Morgan, Ruger, Steele, Southwick, Stevens.

So the bill passed and its title as amended was agreed to.

House Bill No. 275. A bill for an act to prevent civil officers from entering into contracts with towns, townships, cities or the territory,

Was read the third time and put upon its final passage.

The roll being called there were 27 votes in the affirmative and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, McCumber, Oliver, Pickler, Pugh, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Gregg, Helvig, McCall, Parshall, Pierce, Runkle, Riddell, Roach, Stong.

Absent and not voting:

Messrs. DeWoody, Huntington, Langan, Miller, Morgan, McHugh, Ruger, Steele, Stevens, Ward of Brule.

Mr. Martin excused.

So the bill passed and its title was agreed to.

House Bill No. 278. A bill for an act to protect buffalo, elk, prairie chicken, etc.,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Stevens, Swanton, Smith, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Johnson, Sprague, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Coe, Gregg, Helvig, Miller, Morgan, McHugh, Pickler, Ruger, Steele, Southwick, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Langan moved
To reconsider the vote by which
Council Bill No. 83,
Was lost.

Mr. Barnes moved
To lay the motion on the table.

The ayes and nays demanded.

The roll being called, there were 20 votes in the affirmative, and 26 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Coe, Dawson, DeWoody, Hobart, Helvig, Hutchinson, Johnson, Myron, McCumber, Oliver, Pierce, Pugh, Roach, Southwick, Stevens, Stebbins, Van Osdel, Mr. Speaker.

Those who voted in the negative were:
Messrs. Blakemore, Clark, Eldredge, Gregg, Huntington, Huston, Larson, Langan, Miller, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Runkle, Riddell, Ruger, Swanton, Smith, Sprague, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:
Messrs. Stong and Steele.

Which motion was lost.

A call of the House demanded.

Mr. McHugh moved
To dispense with proceedings under the call.
Which motion prevailed.
Mr. Van Osdel moved

To refer the bill to general orders.

The ayes and nays were demanded.

The roll being called, there were 24 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Coe, Dawson, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Myron, Martin, McCumber, Morgan, Oliver, Parshall, Pugh, Roach, Southwick, Stevens, Stebbins, Van Osdel, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Clark, Gregg, Huntington, Langan, Miller, McCall, McHugh, Pickler, Pierce, Runkle, Riddell, Ruger, Swanton, Smith, Sprague, Scott, Stewart, Ward of Turner, Williams.

Absent and not voting:
Messrs. DeWoody, Larson, Steele, Stong.

And so the motion prevailed.

Council Bill No. 264. A bill for an act to authorize the board of county commissioners of Minnehaha, Miner, Lake and Kingsbury counties to aid certain persons whose crops were destroyed by storm,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Blakemore, Coe, Gregg, Morgan, McHugh, Ruger, Steele, Swanton.

So the bill passed and its title was agreed to.

House Bill No. 183. A bill for an act authorizing the board of county commissioners of McPherson county to fund the outstanding indebtedness thereof,

Was read the third time and put upon its final passage.

The roll being called, there were 43 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Langan, Southwick, Stevens, Van Osdel.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 102. A bill for an act creating the office of Commissioner of Immigration, and providing for the appointment of a Commissioner of Immigration,

Was read the first, second and third times and put upon its final passage.

A call of the House demanded.

Mr. Martin moved

To dispense with proceedings under the call.

Which motion was lost,

Mr. Pickler moved

To dispense with proceedings under the call.

Which motion was lost.

Mr. Barnes moved

To dispense with proceedings under the call.

Which motion prevailed.

Mr. Williams moved

The previous question on the passage of the bill.

Which motion prevailed.

The roll being called, there were 22 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Hutchinson, Miller, McCall, Morgan, Parshall, Pickler, Pierce, Riddell, Roach, Stevens, Smith, Sprague, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Huntington, Huston, Helvig, Johnson, Larson, Langan Myron, McCumber, McHugh, Oliver, Pugh, Runkle, Ruger, Southwick, Swanton, Stebbins, Scott, Stewart, Stong, Mr. Speaker.

Mr. DeWoody being absent.

Messrs. Hobart, Martin, Steele, Van Osdel, Ward of Turner being excused.

So the bill passed and its title was agreed to.

House Bill No. 316. A bill for an act to amend section 32 of chapter 28 of Political Code, entitled "revenue,"

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huston, Johnson, Larson, Myron, Martin, McCall, McHugh, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Oliver.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Hobart, Helvig, Hutchinson, Langan, Miller, McCumber, Morgan, Pierce, Pugh, Swanton, Scott, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Blakemore moved
To take
Substitute for
Council Bill No. 39,

From the General Orders and that the House recede from its amendments.

Mr. Oliver moved
To refer it to the General Orders.

Which motion was lost.

Call of the House demanded.

Mr. Martin moved
That further proceedings under the call be dispensed with.

Mr. Oliver moved

That the bill be made a special order for 3 o'clock Monday.

Which motion prevailed.

Mr. Gregg moved
To reconsider the vote by which
House Bill No. 275
Was passed

Which motion prevailed.

Mr. Williams moved
To lay the bill on the table.

Mr. Oliver moved
As a substitute
That the bill be indefinitely postponed.

Which motion prevailed.

Mr. Williams moved
To take a recess for one hour.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 7, 1885.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

House Bill No. 316. A bill for an act to amend section 32 of chapter 28 of Political Code, entitled "revenue,"

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,
House Bill No. 362. A bill for an act to amend Council Bill No. 79 of the Special Laws passed by the Legislative Assembly of 1883, and

Approved February 21st, 1883,

Have had the same under consideration and report it back and recommend that the bill do pass.

Also,
Substitute for

House Bill No. 176. A bill for an act authorizing the county commissioners of Roberts county to fund the outstanding indebtedness thereof,

Have had the same under consideration, and report it back amended, and recommend that the substitute bill as amended do pass.

Also,

House Bill No. 220. A bill for an act to provide for the taxation of express companies,

Have had the same under consideration, and report it back and recommend that the bill do pass.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Territorial Affairs, to whom was referred

Council Bill No. 102. A bill for an act creating the office of Commissioner of Immigration,

Have had the same under consideration, and also a substitute bill, but have not been able to agree upon either of them,

And beg leave to return them without recommendation.

S. E. STEBBINS,
Chairman.

MR. SPEAKER:

We, the undersigned members of the committee on Territorial Affairs, do hereby recommend that

House Bill No. 102 and substitute

Do not pass, as the bill appears to be more in the interests of the Commissioner of Immigration who may be appointed, than in the interests of the Territory.

H. STONG.
O A. HELVIG.
J. W. SCOTT.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 335. A bill for an act to amend the charter of the city of Lisbon, and for other purposes,

Have had the same under consideration and report it back and recommend it do pass.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 365. A bill for an act to regulate the receiving and transportation of fuel on railroads in this Territory,

Have had the same under consideration and report the same back and recommend that it do pass.

Also,

House Bill No. 319. A bill for an act to amend chapter 99 of the Laws of Dakota Territory passed in the year 1883, entitled an act for the levy and collection of taxes upon the property of railroad companies in this territory,

Have had the same under consideration and beg leave to report the same back with the recommendation that it do not pass.

E. HUNTINGTON,
Chairman.

MR. SPEAKER:

Your committee on Appropriations; to whom was referred

House Bill No. 279. A bill for an act appropriating money to the Territorial Board of Agriculture,

Have had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

Also,

House Bill No. 361. A bill for an act making an appropriation for the construction of a sewer and cesspool for the building occupied by the Sixteenth Legislative Assembly,

Have had the same under consideration, and beg leave to report back the same with the recommendation that the same do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 259,

Have carefully examined the same, and respectfully recommend that it do pass.

DONALD STEWART,
Chairman.

MR. SPEAKER:

Your committee on Education have had under consideration

House Bill No. 287,

And recommend that the same do pass.

Also,

House Bill No. 311,

Under consideration, and recommend that the same do pass.

Also,

House Bill No. 267,

And recommend that the same do pass.

Also,

House Bill No. 288,

And recommend that the same do pass.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 237,

Have examined the same and find that the same subject is covered by another bill already passed by the Council and now before our committee,

We therefore recommend that this bill lie on the table, that the other may pass.

DONALD STEWART,
Chairman.

Mr. Martin moved

The adoption of the report.

Which motion prevailed.

BISMARCK, March 5, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 275. A bill for an act to prevent civil officers from entering into contract with towns, townships, cities or the territory,

And recommend that section 2 of the said bill be amended so as to read as follows: "Every person who violates the provisions of section 1 of this act shall be guilty of a misdemeanor,"

And when so amended that the same be considered favorably and passed by this House.

Also,

Council Bill No. 264. A bill for an act to authorize the board of county commissioners of Minnehaha, Miner, Lake and Kingsbury counties to aid certain persons whose crops were destroyed by storm,

And recommend that the said bill be amended as follows: By adding after the word Kingsbury in the title and body of said bill the words "Falk, Hyde, Richland, Beadle, Sully, Aurora and Potter,"

And when so amended that the bill be considered favorably and passed by this House.

Also,

House Bill No. 297. A bill for an act supplementary to article 4 chapter 11 of the code of Civil Procedure, subject "attachment,"

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 280. A bill for an act to amend section 2, chapter 77 of the Laws of 1881, entitled an act to amend section 9, chapter 39, Political Code,

And beg leave to report favorably and recommend its passage by this House.

Also,

Council Bill No. 347. A bill for an act amending chapter 10 of the Political Code,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 348. A bill for an act relating to the foreclosure of mortgages on real estate property by advertisement,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 263. A bill for an act entitled an act to amend section 1,098 of the Civil Code,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 269. A bill for an act legalizing the acts of the commissioners of Dickey county in building a court house, And return same herewith, and beg leave to recommend that same be considered under general orders.

Also,

House Bill No. 278. A bill for an act to protect buffalo, elk, prairie chicken, etc.,

And recommend that section 8 be amended by prefixing to said section the following: "chapter 63 of the Laws of 1883, and" and when so amended, that the same be considered favorably and passed by this House.

Also,

House Bill No. 345. A bill for an act to amend sections 58 and 59 of chapter 21 of the Political Code.

And transmit herewith a substitute, and recommend that the said substituted bill be passed by this House.

E. W. MARTIM,
Chairman.

Mr. Oliver moved

The adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 300. A bill for an act to amend section 672 of the Political Code,

And beg leave to recommend that the said bill be amended by striking out the words "and also accept," and when so amended, that the same be passed by this House.

E. W. MARTIN,
Chairman.

Mr. Pickler moved

The adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 313. A bill for an act to legalize the president and trustees of the town of Ipswich, and to provide means of protection against loss by fire,

And beg leave to report favorably, and recommend its passage.

E. W. MARTIN,
Chairman.

On motion of Mr. DeWoody,
The bill was referred to general orders.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 7, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 46. A bill for an act to establish a public highway on the county line between the counties of Yankton, Turner and Clay.

Also,

House Bill No. 159. A bill for an act to define the boundaries of Billings, Villard, Dunn and Wallace counties.

Also,

House Bill No. 204. A bill for an act regulating the term of office of auditor in the counties of Cass, Grand Forks and Traill.

Also,

House Bill No. 238. A bill for an act to secure the public health and safety against unwholesome provisions.

Also,

Substitute for

House Bill No. 240. A bill for an act to define the boundaries of Ramsey and Benson counties, and for other purposes.

Also,

House Bill No. 305. A bill for an act to amend an act to incorporate the city of Larimore, Dakota.

Also,

House Bill No: 326. A bill for a Memorial to the Congress of the United States to improve the navigation of the waterway or routes between Big Stone lake and the Red river of the north, and for other purposes.

All of which the Council have passed without amendment.

Also,

House Bill No. 95. A bill for an act to amend sections 12 and 21 of chapter 112 of the Laws of 1883.

To which the Council have made an amendment, as indicated therein, to which your concurrence is respectfully requested.

Also,

I transmit herewith

Council Bill No. 231. A bill for an act to authorize the directors of the penitentiary at Sioux Falls to make a contract with the United States for the care of United States prisoners, etc.

Also,

Council Bill No. 249. A bill for an act to create a new subdivision of the Third Judicial District.

Also,

Council Bill No. 286. A bill for an act defining the boundaries of Cavalier county, and for other purposes.

Also,

Council Bill No. 299. A bill for an act to annex certain townships to the county of McHenry.

Also,

Council Bill No. 300. A bill for an act to fix the terms of district court in and for the Sixth Judicial District, and exercising the powers and jurisdiction of the circuit and district courts of the United States.

Also,

Council Bill No. 307. A bill for an act to create a joint school township in the counties of Griggs and Steele.

Also,

Council Bill No. 311. A bill for an act defining the boundaries of the Fifth Judicial District and fixing the time of holding court therein.

Also,

Council Bill No. 306. A bill for an act to incorporate the city of Northwood.

Also,

Council Bill No. 285. A bill for an act creating a judicial subdivision of the Second Judicial District and fixing time of holding court therein.

All of which the Council have passed, and your concurrence is respectfully requested.

Also,

I have the honor to inform you that the Council has indefinitely postponed the following House Bills, viz:

House Bill No. 29. A bill for an act authorizing and empowering the commissioners of Grant county to liquidate certain illegal taxes collected for 1882.

Also,

House Bill No. 80. A bill for an act relating to fees for the service of legal papers.

Also,

House Bill No. 201. A bill for an act prescribing the time and place for holding the district court exercising the powers and jurisdiction of the district and circuit courts of the United States within the Second Judicial District,

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

MR. SPEAKER:

I return herewith

House Bill No. 212. A bill for an act to relocate the county seat of Spink county, Dakota,

Which the Council has this day passed without amendment.

W. G. EAKINS,
Assistant Chief Clerk Council.

The Speaker announced his signature to

Council Bills Nos. 216, 212, 176, 115, 213, 183, 236, 151, 246, 274, 211, 178.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 7, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bills Nos. 48, 74, 142, 203 and 281.

GILBERT A. PIERCE,
Governor.

INTRODUCTION OF BILLS.

Mr. Larson introduced—

House Bill No. 373. A bill for an act to amend section 1 and to repeal section 6 of an act entitled an act in relation to the bonds and coupons issued by the township of Elk Point, Miner county, Dakota,

Approved February 16th, 1885,

Which was read the first and second times.

Mr. Parshall introduced—

House Bill No. 374. A bill for an act to provide for the purchase of copies of the first and second volumes of Dakota Reports, Which was read the first and second times and referred to the committee on Judiciary.

Mr. Huntington introduced—

House Bill No. 375. A bill for an act to authorize Andover school township No. 9, in Day county, to issue bonds to build school houses,

Which was read the first and second time and referred to committee on Ways and Means.

Mr. Steele introduced—

House Bill No. 376. A bill for an act to amend the charter of the city of Steel. Dakota Territory,

Which was read the first time.

Mr. Williams introduced—

House Bill No. 377. A bill for an act to establish a commissioner of emigration,

Which was read the first time.

SECOND READING OF HOUSE BILLS.

House Bill No. 376. A bill for an act to amend the charter of the city of Steele, Dakota Territory.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 377. A bill for an act to establish a commissioner of emigration.

Read the second time and referred to the committee on Judiciary.

House Bill No. 337. A bill for an act to establish independent school district of Flandreau, Moody county, Dakota territory.

Read the second time and referred to the committee on Education.

House Bill No. 372. A bill for an act to amend an act entitled an act defining the boundaries of Kidder county.

Read the second time and referred to the committee on Counties.

House Bill No. 356. A bill for an act to amend section 540 of the Civil Code.

Read the second time and referred to the committee on Judiciary.

House Bill No. 354. A bill for an act to provide salary for clerks of district court.

Read the second time and referred to the committee on Judiciary.

House Bill No. 353. A bill for an act amending section 658, chapter 4 of Civil Code,

Read the second time and referred to the committee on Judiciary.

House Bill No. 334. A bill for an act to provide for an act for the relief of labor, material and men who did work and furnished material on the Capitol building.

Read the second time and referred to the committee on Judiciary.

House Bill No. 333. A bill for an act to vacate Cherry street in the town of Menno, in Hutchinson county, Dakota Territory.

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 333. A bill for an act to provide for the formation of school district, and for other purposes.

Read the second time and referred to the committee on Education.

House Bill No. 331. A bill for an act to change the name of certain persons

Read the second time and referred to the committee on Judiciary.

House Bill No. 330. A bill for an act to exempt from assessment for taxation all lands taken for public highways.

Read the second time and referred to the committee on Highways.

House Bill No. 329. A bill for an act to establish the independent school district of Harrison, in Douglass county, Dakota Territory,

Read the second time and referred to the committee on Education.

House Bill No. 327. A bill for an act to provide for the bonding of outstanding indebtedness of Marion school township, in Turner county, Dakota,

Read the second time and referred to the committee on Ways and Means.

House Bill No. 325. A bill for an act to provide for

effectual protection of game in the county of Burleigh, and Territory of Dakota.

Read the second time and referred to the committee on Judiciary.

House Bill No. 324. A bill for an act to vacate that portion of Helmsworth & McLean's addition to the city of Mandan, lying south of the main track of the Northern Pacific railroad,

Read the second time and referred to the committee on Towns and Cities.

House Bill No. 323. A bill for an act to establish independent school district No. 2, Oak Hollow, of Hutchinson county, Dakota Territory. and for other purposes.

Read the second time and referred to the committee on Education.

House Bill No. 322. A bill for an act establishing a Territorial Horticultural and Forestry association, and defining the duties of its officers,

Read the second time and referred to the committee on Agriculture.

House Bill No. 320. A bill for an act entitled an act authorizing and empowering the county commissioners of Cavalier county, Dakota Territory, to fund the outstanding indebtedness of said county.

Read the second time and referred to the committee on Ways and Means.

THIRD READING OF HOUSE BILLS.

House Bill No. 288. A bill for an act to amend an act establishing independent school district No. 1, of Turner county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Helvig, Hutchinson, McCumber, Morgan, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 267. A bill for an act to provide a uniform system of text books for common and graded schools,

Was read the third time and put upon its final passage.

The roll being called there were 14 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted the affirmative were:

Messrs. Blakemore, Huston, Larson, McCall, McHugh, Oliver, Parshall, Pickler, Pugh, Steele, Stevens, Smith, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Bayard, Clark, Dawson, Eldredge, Gregg, Huntington, Hobart, Johnson, Langan, Myron, Miller, Martin, Runkle, Riddell, Roach, Ruger, Southwick, Sprague, Stebbins, Stewart, Stong, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Helvig, Hutchinson, McCumber, Morgan, Pierce, Swanton, Scott, Ward of Brule.

So the bill was lost.

Mr. Blakemore moved

A reconsideration of the vote.

Which motion prevailed, and

The bill referred to General Orders.

House Bill No. 363. A bill for an act to incorporate the city of Salem, in McCook county,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Helvig, Hutchinson, McCumber, Morgan, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 259. A bill for an act authorizing counties to give a bounty on wolf and fox scalps,

Was read the third time, and

On motion of Mr. Bayard
Was referred to General Orders.

House Bill No. 345. A bill for an act to amend sections 58 and 59, chapter 21, Political Code,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and 4 votes in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Johnson, Larson, Myron, Miller. Martin, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Smith, Sprague, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart, McCall, Oliver, Stebbins.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Helvig, Hutchinson, Langan, McCumber, Morgan, Pierce, Steele, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 316. A bill for an act to amend section 32, chapter 28 of the Political Code, revenue,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Oliver, Parshall, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, McHugh, Pickler, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 309. A bill for an act incorporating the village of Woonsocket,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Oliver, Parshall, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, McHugh, Pickler, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 362. A bill for an act to amend Council Bill No. 79 of the Special Laws of 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 22 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Hobart, Johnson, Larson, Martin, McCall, McHugh, Oliver, Pickler, Pugh, Riddell, Steele, Southwick, Stevens, Smith, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, DeWoody, Myron, Parshall, Runkle, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner.

Absent and not voting:

Messre. Barnes, Coe, Huston, Helvig, Hutchinson, Langan, Miller, McCumber, Morgan, Pierce, Roach, Ruger, Swanton, Sprague, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 297. A bill for an act supplementary to article 4, chapter 11 of the Code of Civil Procedure, attachment,

Was read the third time and put upon its final passage.

The roll being called, there were 19 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. DeWoody, Eldredge, Gregg, Hobart, Johnson, Miller, Martin, McCall, Runkle, Riddell, Roach, Steele, Smith. Sprague, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Huntington, Larson, Myron, McHugh, Oliver, Parshall, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Huston, Helvig, Hutchinson, Langan, McCumber, Morgan, Pickler. Pierce, Pugh, Ruger, Southwick, Stevens, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Johnson moved

To reconsider the vote by which the bill passed.

Mr. Martin moved

To lay the motion on the table.

Which motion was lost, and

The motion to reconsider prevailed.

The roll being called on the motion to reconsider, there were 19 votes in the affirmative and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Gregg, Huntington, Langan, Miller, Martin, McCall, McHugh, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stewart, Stong, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Clark, DeWoody, Eldredge, Hobart, Johnson, Larson, Myron, Oliver, Parshall, Pugh, Southwick, Stebbins, Williams,

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Huston, Helvig, Hutchinson, McCumber, Morgan, Pierce, Ruger, Swanton, Scott, Van Osdel, Ward of Turner, Ward of Brule.

And so the motion to reconsider prevailed.

House Bill No. 347. A bill for an act to amend chapter 10 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Johnson, Larson, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Southwick, Smith, Sprague, Stewart, Stong, Van Osdel, Ward of Turner, Williams.

Absent and not voting:

Messrs. Barnes, Coe, Huston, Helvig, Hutchinson, Langan, McCumber, Morgan, Pierce, Pugh, Ruger, Stevens, Swanton, Stebbins, Scott, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 348. A bill for an act relating to the foreclosure of mortgages on real estate property by advertisement,

Was read the third time and put upon its final passage.

The roll being called there were 16 votes in the affirmative and 18 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Gregg, Huntington, Johnson, Langan, Miller, Martin, Runkle, Riddell, Steele, Smith, Sprague, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Dawson, DeWoody, Huston, Hobart, Larson, Myron, McCall, McHugh, Oliver, Parshall, Pickler, Roach, Ruger, Southwick, Stewart, Stong, Van Osdel, Williams.

Absent and not voting:

Messrs. Barnes, Coe, Eldredge, Helvig, Hutchinson, McCumber, Morgan, Pierce, Pugh, Stevens, Swanton, Stebbins, Scott, Ward of Brule.

And so the bill was lost.

Mr. Pickler moved

To reconsider the vote by which the bill was lost.

Which motion did not prevail.

House Bill No. 300. A bill for an act to amend section 672 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called there were 26 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Huntington, Hobart, Johnson, Larson, Miller, Martin, McCall, McHugh, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Oliver, Parshall, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Gregg, Huston, Helvig, Hutchinson, Langan, Myron, McCumber, Morgan, Pierce, Ruger, Southwick, Swanton, Scott, Ward of Brule.

So the bill passed and its title agreed to.

House Bill No. 365. A bill for an act to regulate the receiving and transportation of fuel on railroads in this Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Huntington, Huston, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddel, Roach, Steele, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Mr. Hobart voting in the negative.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Gregg, Helvig, Hutchinson, McCumber, Morgan, Pierce, Ruger, Southwick, Swanton, Scott, Ward of Brule.

Mr. DeWoody being excused.

So the bill passed and its title was agreed to.

House Bill No. 319. A bill for an act to amend chapter 99 of the General Laws of 1883, for the levy and collection of taxes upon railroad companies,

Was read the third time and put upon its final passage,

And on motion of Mr. Pickler,

Was indefinitely postponed.

House Bill No. 280. A bill for an act to amend section 2, chapter 77 of Laws of 1881,

Was read the third time and put upon its final passage.

The roll being called there were 22 votes in the affirmative and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Larson, Langan, Myron, Miller, Martin, McHugh, Oliver, Pickler, Runkle, Riddell, Roach, Steele, Southwick, Sprague, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Hobart, Johnson, McCall, Parshall, Ruger, Smith, Stong.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Gregg, Huston, Helvig, Hutchinson, McCumber, Morgan, Pierce, Pugh, Stevens, Swanton, Stebbins, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 313. A bill for an act to legalize the acts of the president and trustees of the town of Ipswich, and to provide means of protection against loss by fire,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Oliver, Parshall, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens. Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, McHugh, Pickler, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 287. A bill for an act to establish an independent school district in Turner county,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Helvig, Hutchinson, McCumber, Morgan, Pierce, Swanton, Smith, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 335. A bill for an act to amend the charter of the city of Lisbon, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Martin, McCall, McHugh, Oliver, Parshall, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Helvig, Hutchinson, Miller, McCumber, Morgan, Pickler, Pierce, Swanton, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 311. A bill for an act to repeal chapter 46 of the Session Laws of 1883, entitled assistant superintendent,

Was read the third time, and

On motion of Mr. Oliver,

Was indefinitely postponed.

House Bill No. 279. A bill for an act appropriating money to the Territorial Board of Agriculture,

Was read the third time and put upon its final passage.

The roll being called, there were 24 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Huston, Hobart, Larson, Myron, Martin, McCall, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Smith, Stebbins, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, McHugh, Ruger, Stevens, Sprague, Stewart, Stong.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Gregg, Helvig, Hutchinson, Johnson, Langan, Miller, McCumber, Morgan, Parshall, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 361. A bill for an act making an appropriation for the construction of a sewer and cesspool for the building occupied by the Sixteenth Legislative Assembly,

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Huston, Langan, Martin, McCall, McHugh, Oliver, Pickler, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Hobart, Myron, Riddell.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Gregg, Hutchinson, Helvig, Johnson, Larson, Miller, McCumber, Morgan, Parshall, Pierce, Southwick, Swanton, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Eldredge moved that
Substitute for
House Bill No. 176,
Be taken from the General Orders.

Which motion prevailed.

Substitute for
House Bill No. 176. A bill for an act authorizing the county commissioners of Roberts county to fund its outstanding indebtedness,

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs: Barnes, Coe, Helvig. Hutchinson, McCumber, Morgan, Pierce, Swanton, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 372. A bill for an act to amend an act entitled an act defining the boundaries of Kidder county,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 10 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Pickler, Pugh, Roach, Ruger, Steele, Smith, Stebbins, Stewart, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart, Oliver, Parshall, Runkle, Riddell, Southwick, Stevens, Sprague, Stong, Van Osdel.

Absent and not voting:

Messrs. Barnes, Coe, Huston, Helvig, Hutchinson, McCumber, Morgan, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Stong moved

To refer the bill to General Orders.

Which motion prevailed.

THIRD READING OF COUNCIL BILLS.

Mr. Ruger moved

To take

Substitute for

Council Bill No. 45,

From the General Orders.

Which motion prevailed.

Council Bill No. 45. A bill for an act to establish Territorial and county board of health, and providing for the protection of health of persons and animals,

Was read the third time and put upon its final passage.

The roll being called, there were 22 votes in the affirmative, and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Myron, Miller, McCall, McHugh, Parshall, Pickler, Roach, Ruger, Steele, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Dawson, Langan, Martin, Oliver, Runkle, Riddell, Southwick, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, Pierce, Pugh, Stevens, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Langan moved
To adjourn.

Which motion was lost.

Mr. McHugh moved
To indefinitely postpone
Council Bill No. 66.

Mr. Pickler moved
To lay the motion on the table.

Call of the House demanded.

Mr. Johnson moved
To dispense with the proceedings under the call.

Which motion prevailed.

Council Bill No. 66. A bill for an act to amend chapter 30 of the Code of Civil Procedure, revised 1877, and making an annual appropriation to provide for the maintenance of the militia.

Was read the third time and put upon its final passage.

The roll being called, there were 23 votes in the affirmative, and 13 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Clark, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Johnson, Larson, Miller, McHugh, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Smith, Stewart, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:
Messrs. Blakemore, Gregg, Langan, Myron, Martin, McCall, Oliver, Parshall, Runkle, Riddell, Sprague, Stebbins, Stong.

Absent and not voting:
Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, Pierce, Southwick, Swanton, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

Mr. Stewart moved that
Council Bill No. 74,
Be next considered.

Which motion prevailed.
Mr. Riddell moved
That further consideration of the bill be indefinitely postponed.

The ayes and nays were demanded.

The roll being called, there were 15 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Eldredge, Gregg, Larson, Martin, McCall, Parshall, Runkle, Riddell, Southwick, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Blakemore, Clark, DeWoody, Huntington, Huston, Hobart, Johnson, Langan, Miller, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stewart, Stong, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Helvig, Hutchinson, Myron, McCumber, Morgan, Pickler. Pierce, Swanton, Scott, Ward of Brule.

So the motion was lost.

Mr. Riddell moved

To adjourn.

The ayes and nays were demanded.

The roll being called, there were 17 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Eldredge, Gregg, Huntington, Huston, Hobart, Larson, Myron, Martin, Parshall, Runkle, Riddell, Southwick, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Blakemore, Clark, Dawson, DeWoody, Johnson, Langan, Miller, McCall, McHugh, Oliver, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Stewart, Stong, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, Pierce, Swanton, Scott, Ward of Brule.

So the motion was lost.

Mr. DeWoody moved

The previous question.

Which motion prevailed.

Mr. Pickler moved

To adjourn.

The ayes and nays were demanded.

The roll being called, there were 16 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Gregg, Huston, Larson, Martin, McCall, Parshall, Pickler, Runkle, Riddell, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Blakemore, Dawson, DeWoody Eldredge, Huntington, Hobart, Johnson, Langan, Miller, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Stewart, Stong, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, Myron, McCumber, Morgan, Pierce, Swanton, Scott, Ward of Brule.

So the motion was lost.

The roll being called on the passage of the bill, there was no quorum present,

And the House adjourned.

C. M. REED,
Chief Clerk House.

FIFTY-SIXTH DAY.

BISMARCK, Monday, March 9, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present excepting Mr. Johnson, who was excused on account of illness.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 7, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 235. A bill for an act to amend sections 7 and 15 of chapter 39 of the Civil Code,

And beg leave to offer the following amendment to the title of the bill: By striking out the word "county" of said title and insert instead "Brown and Bon Homme counties."

And when so amended recommend that it be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

Mr. Martin moved

The adoption of the report.

Which motion prevailed.

BISMARCK, March 5, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 228. A bill for an act to provide for taking depositions in criminal cases,

And beg leave to report favorably, and recommend that the said bill be so considered and passed by this House.

Also,

House Bill No. 344,

And recommend that the bill do pass.

Also,

Council Bill No. 300,

And recommend that the bill do pass.

Also,

Council Bill No. 260. A bill for an act supplementary to and explanatory of chapter 38 of the Political Code,

And beg leave to report favorably, and recommend that the said bill be considered favorably and passed by this House.

Also,

Council Bill No. 245. A bill for an act to amend an act to establish a code of proceedings in courts of justices of the peace, and to limit the jurisdiction of the same,

And beg leave to report favorably and recommend its passage by this House.

Also,

Council Bill No. 238. A bill for an act to amend section 236 of the Code of Civil Procedure, And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 385,

And recommend that the bill do pass.

Also,

Council Bill No. 253. A bill for an act authorizing and directing the county commissioners of Lawrence county to settle with and release the sureties upon the official bond of Robert Neill, formerly treasurer of said county, upon certain conditions,

And beg leave to report favorably, and recommend its passage.

Also,

Council Bill No. 179. A bill for an act to amend section 4 of chapter 3 of the Political Code, as amended by chapter 37 of the Laws of 1879,

And beg leave to report favorably, and recommend its passage by this House.

Also,

Council Bill No. 239. A bill for an act to amend section 6 of chapter 19 of the Political Code,

And beg leave to report favorably, and recommend its passage by this House.

Also,

Council Bill No. 280. A bill for an act to change the name of certain churches in Bon Homme county,

And beg leave to report favorably and recommend its passage.

E. W. MARTIN.
Chairman.

BISMARCK, March 9, 1885.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

House Bill No. 375. A bill for an act to authorize Andover school township No. 9, in Day county, to issue bonds to build school houses,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,

House Bill No. 320. A bill for an act entitled an act authorizing and empowering the county commissioners of Cavalier county, Dakota, to fund the outstanding indebtedness of said county,

Have had the same under consideration and report it back and recommend that the bill do pass.

Also,
House Bill No. 327. A bill for an act providing for the bonding of the outstanding indebtedness of Marion school township, in Turner county, Dakota,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,
Council Bill No. 251. A bill for an act supplemental to an act entitled an act to enable the school districts of the counties of Barnes and Griggs to fund their indebtedness,
Have had the same under consideration, and report it back, with all the papers in the case, and recommend that the said bill and papers be referred to the members from the ninth district.

Also,
House Bill No. 383. A bill for an act authorizing the county of Mercer to issue bonds for the construction of a court house, for building bridges, and for school purposes,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,
House Bill No. 380.

Have had the same under consideration, and report it back amended, and recommend that the bill do pass as amended.

E. B. DAWSON,
Chairman.

Mr. Blakemore moved
To adopt the report of the committee.

Which motion prevailed.

BISMARCK, March 9, 1885.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

Council Bill No. 381. A bill for an act authorizing the county of Stark to issue bonds and erect a court house and jail in said county,

Have had the same under consideration, and report it back amended, and recommend that the bill do pass as amended.

E. B. DAWSON,
Chairman.

Mr. Dawson moved
To adopt the report of the committee.

Which motion prevailed,

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 332,
Report that they have had the same under consideration, and recommend the same be amended so as to apply to Douglass county only, and recommend the same do pass as amended.

J. M. BAYARD,
Chairman.

Mr. Huston moved
The adoption of the report and amendments.

MR. SPEAKER:

Your committee on Education to whom was referred
Council Bill No. 266,
Have had the same under consideration, and recommend that it do pass.

Also,
Council Bill No. 290,
Have had the same under consideration, and recommend the same do pass.

Also,
House Bill No. 382,
Have considered the same, and recommend the bill do pass.

Also,
House Bill No. 323,
Beg leave to report the same back, and recommend its passage by this House.

Also,
House Bill No. 289,

Have had the same under consideration and recommend that the same do pass.

J. M. BAYARD,
Chairman.

BISMARCK, March 9, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bills Nos. 46, 93, 95, 126, 212, 238,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 159,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 76, 215, 258 and 158,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 225, 364, 326, 204 and 305,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 246,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 9th day of March, 1885, at 12:30 o'clock p. m., presented

House Bills Nos. 76, 158, 159, 215 and 258

To his Excellency, the Governor, for his signature and approval.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Counties, to whom was referred

House Bill No. 265,

Have had the same under consideration, and recommend that it be amended by striking out section 6, and make section 7 of the present bill section 6 of the bill as amended, and that it do pass as amended.

MARK WARD,
Chairman.

Mr. Miller moved
To adopt the report of the committee.
Which motion prevailed.

MR. SPEAKER:

Your committee on Counties, to whom was referred
House Bill No. 314,

Have examined the same, and beg leave to report, recommending that it do pass.

Also,
Council Bill No. 244,
Have considered the same and recommend that it do pass.

MARK WARD,
Chairman.

BISMARCK, March 9, 1885.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

House Bill No. 340. A bill for an act to incorporate the city of Frankfort,

Would respectfully report that we have amended the same, and recommend that it do pass as amended.

M. L. MILLER,
Chairman.

Mr. Southwick moved
To adopt the report of the committee.

Which motion prevailed.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

Council Bill No. 288. A bill for an act to vacate certain portions of Matthews and Scobey's addition to the city of Brookings,

Have had the same under consideration and report the same back and recommend that it do pass.

Also,

Council Bill No. 230. A bill for an act to extend and connect certain streets in the town of Madison, Lake county, Dakota,

Have had the same under consideration and report it back and recommend it do pass.

Also,

Council Bill No. 254. A bill for an act to incorporate the city of Fairbank,

Have had the same under consideration, and report it back with the following amendment, and recommend that it pass as amended.

Also,

Council Bill No. 247. A bill for an act to amend an act to incorporate the city of Canton,

Have examined the same and recommend that the bill do pass.

Also,

House Bill No. 363. A bill for an act to incorporate the city of Salem,

Have had the same under consideration and report it back and recommend its passage.

Also,

Council Bill No. 283. A bill for an act to amend the charter of the city of Casselton,

Have examined the same, and recommend that it do pass.

Also,

Council Bill No. 168. A bill for an act changing the incorporate limits of the city of Redfield,

Would respectfully report that they have considered the same and recommend that it do pass.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 235,

Have carefully examined the same, and we have amended sections 1, 2, 13 aud 14, which amendments are enclosed, and we recommend that the amendments be adopted and the bill pass as amended.

DONALD STEWART,
Chairman.

Mr. Smith moved

The adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your committee to whom was referred

Substitute for
Council Bill No. 142,
Have examined the same and recommend that it do pass.

DONALD STEWART,
Chairman.

MR. SPEAKER:

Your committee on charitable institutions to whom was referred

House Bill No. 318. A bill for an act to provide for the return of patients from hospitals for the insane to their homes,

Have examined the same and recommend that it do pass.

Also,

Council Bill No. 111. A bill for an act to amend section 5 of chapter 13 of the Laws of 1879, concerning the blind,

Would respectfully report that they have considered the same and recommend that the bill do pass.

J. C. SOUTHWICK,
Chairman.

BISMARCK, March 8, 1885.

MR. SPEAKER:

Your committee appointed to confer with a like committee from the Council, regarding the amendment to

Council Bill No. 156,

Would recommend that the House do recede from its amendment.

H. S. OLIVER,
Chairman.

Mr. Barnes moved
The adoption of the report.

Which motion prevailed.

MR. SPEAKER:

Your special committee to whom was referred

Council Bill No. 89. A bill for an act to authorize the county commissioners of Yankton county to remit certain taxes,

Have had the same under consideration and report the same back with the recommendation that the bill do pass.

A. L. VAN OSDEL,
Chairman.

MR. SPEAKER:

Your committee of Conference beg leave to report that they have had

Council Bill No. 39

Under consideration in conjunction with a like committee of the Council, and beg leave to report the same back and request that the House of Representatives recede from the amendments attached to said bill No. 39, and that the said bill be reported to the Council the same as it originated from the Council.

E. A. WILLIAMS,
Chairman.

BISMARCK, March 1, 1885.

MR. SPEAKER:

I beg leave to make a minority report on
House Bill No. 289
For the following reasons:

1. The people in this county have the township school system.

2. The proposed independent school district is too large and in such shape that it will not be an easy matter to form any district outside of the proposed one, which the diagram on last page of bill shows.

3. The proposed independent district has the town of Bridgewater in it, and that city alone ought to be the independent school district.

4. The people living in the townships where the proposed district is to be formed remonstrate against it.

HANS MYRON,
Member of Com. on Education.

Bill and reports referred to general orders.

MR. SPEAKER:

Your committee on Appropriations, to whom was referred

House Bill No. 394. A bill for an act to appropriate funds for certain purposes,

Have had the same under consideration, and beg leave to report back a substitute for the same, and recommend that the substitute do pass.

J. A. PICKLER,
Chairman.

BISMARCK, March 9, 1885.

MR. SPEAKER:

Your committee on Public Printing, to whom was referred

Joint Resolution to provide for the payment of the printing and binding of the Council and House Journals for the Sixteenth Session, known as

House Bill No. 310,

Having had the same under consideration, beg leave to report the same back with the recommendation that it do pass.

A. J. PARSHALL,
Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Barnes moved

That during the remainder of the session, the clerks of the Judiciary and Appropriation committee, while not engaged with their respective committees, shall assist the clerks of the House.

Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Martin introduced—

House Bill No. 378. A bill for an act in regard to the selling and smoking of opium,

Which was read the first, second and third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Gregg, Huntington, Hobart, Helvig, Hutchinson, Langan, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Mr. Ruger voting in the negative.

Absent and not voting:

Messrs. Dawson, Eldredge, Huston, Larson, Myron, McCall, Runkle, Ward of Turner.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Helvig introduced—

House Bill No. 379. A bill for an act to provide a standard of weights and measures for the Territory of Dakota, and for other purposes,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. DeWoody introduced—

House Bill No. 380. A bill for an act authorizing Union school township, Edmunds county, to issue bonds for the purpose of paying off its outstanding indebtedness,

Which was read the first and second time and referred to committee on Ways and Means.

Mr. Coe introduced—

House Bill No. 381. A bill for an act authorizing the county of Stark to issue bonds and erect a court house and jail in said county,

Which was read the first and second times and referred to the committee on Ways and Means.

Mr. Parshall introduced—

House Bill No. 382. A bill for an act to establish school district No. 20, Hanson county,

Which was read the first and second times and referred to the committee on Education.

Mr. Coe introduced—

House Bill No. 383. A bill for an act authorizing the county of Mercer to issue bonds for the construction of a court house, for building bridges, and for school purposes,

Which was read the first and second times and referred to the committee on Ways and Means.

Mr. Parshall introduced—

House Bill No. 384. A bill for an act to incorporate the city of Alexandria,

Which was read the first and second times and referred to the committee on Towns and Cities.

Mr. Coe introduced—

House Bill No. 385. A bill for an act to legalize the organization of New Salem civil township, Morton county, Dakota Territory,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Huntington introduced—

House Bill No. 386. A bill for an act to legalize school tax levied by Andover school township No. 9, in Day county,

Which was read the first and second times and referred to the committee on Judiciary.

Mr. Huntington introduced—

House Bill No. 387. A bill for an act to consolidate the counties of Hamlin and Codington, and allow the electors to vote thereon,

Which was read the first and second times and referred to the committee on Counties.

Mr. Bayard introduced—

House Bill No. 388. A bill for an act to authorize Montrose and Grant school townships, McCook county, to issue bonds to fund its outstanding indebtedness,

Which was read the first, second and third times and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCumber, McHugh, Parshall, Pickler, Pierce, Riddell, Roach, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule. Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody Gregg, Huntington, Huston, Hobart, Johnson, Langan, McCall, Morgan, Oliver, Pugh, Runkle, Ruger, Steele, Southwick, Stevens, Williams.

So the bill passed and its title was agreed to.

Mr. McCumber introduced—

House Bill No. 389. A bill for an act creating and defining a subdivision of the third judicial district, and fixing a time and place for holding a term of court therein,

Which was read the first and second times and referred to committee on Judiciary.

Mr. Pugh introduced—

House Bill No. 390. A bill for an act extending an act entitled an act creating the office of county auditor in certain counties. and defining the duties thereof, approved March 9th, 1883, and extending the same to Dickey county,

Which was read the first and second times and referred to committee on Judiciary.

Mr. Blakemore introduced—

House Bill No. 391. A bill for an act entitled an act to amend an act anthorizing the county commissioners of Day and Hyde counties to fund the outstanding indebtedness thereof,

Which was read the first and second times and referred to committee on Judiciary.

Mr. Bayard introduced—

House Bill No. 392. A bill for an act to create the county of Oneida, and define the boundaries of Oneida and Sulley counties,

Which was read the first and second times and referred to general order.

Mr. Riddell introduced—

House Bill No. 393. A bill for an act to amend an act entitled an act to incorporate the village of Valley Springs,

Which was read the first, second and third times and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCumber, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Eldredge, Gregg, Huntington, Hutchinson, Langan, McCall, Morgan, Oliver, Pugh, Ruger, Steele.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Coe introduced—

House Bill No. 394. A bill for an act to appropriate funds for certain purposes,

Which was read the first and second times and referred to the committee on Appropriations.

Mr. Oliver introduced—

House Bill No. 395. A bill for an act to repeal section 3, chapter 11, Laws of 1883,

Which was read the first and second times and referred to committee on Judiciary.

Mr. Barnes introduced—

House Bill No. 396. A bill for an act to provide for the disposal, preservation and safe keeping of the territorial exhibits of Dakota at the World's Fair at New Orleans,

Which was read the first and second times and referred to the committee on Territorial Affairs.

Mr. Barnes introduced—

House Bill No. 397. A bill for an act providing for the collection and compilation of statistics in the Territory of Dakota,

Which was read the first and second times and referred to the committee on Territorial Affairs.

Mr. Morgan introduced—

House Bill No. 398. A bill for an act to amend section 14 of an act entitled an act to incorporate the city of Hillsboro, Traill county, Dakota,

Which was read the first and second times and referred to the committee on Towns and Cities.

Mr. Clark introduced—

House Bill No. 399. A bill for an act to establish the Plankinton independant school district in Aurora county, and provide for the organization and government of the same,

Which was read the first and second times and referred to the committee on Education.

Mr. Hobart, by request, introduced—

House Bill No. 400. A bill for an act to establish, organize and incorporate the Dakota House of Correction and Reform School, and to authorize the confinement of convicted persons therein,

Which was read the first and second times.

Mr. Barnes introduced—

House Bill No. 401. A bill for an act to repeal chapter 99 of the Session Laws of 1883, entitled collection of taxes on railroad property, Which was read the first and second times and referred to the committee on Railroads.

THIRD READING OF HOUSE BILLS.

House Bill No. 332. A bill for an act to provide for the formation of school districts, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting.

Messrs. Gregg, Langan, McCumber, Morgan, Oliver, Pickler, Ruger, Smith.

Messrs. Johnson and Hutchinson being excused.

So the bill passed and its title was agreed to.

House Bill No. 380. A bill for an act authorizing Union school township of Edmunds county to issue bonds for the purpose of paying off its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huntington, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Gregg, McCumber, McHugh, Pickler, Smith, Stewart, Ward of Turner.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 381. A bill for an act authorizing the county of Stark to issue bonds and erect a court house and jail in said county,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Morgan, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Langan, McCumber, McHugh, Oliver, Pickler, Smith, Stewart.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 265. A bill for an act to repeal certain chapters of the Special Laws of 1867-68-69, 1870-71, 1872-73, relating to Union county,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huston, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens. Swanton, Smith, Sprague, Scott, Stewart, Stong, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Huntington, Hobart, Langan, McCall, Pugh, Ruger, Stebbins, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 314. A bill for an act to authorize the board of county commissioners of Walsh county to purchase a poor farm,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, McCall, Ward of Brule.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 340. A bill for an act to incorporate the city of Frankfort,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Gregg, Huntington, Hobart, Helvig, Hutchinson, Langan, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Eldredge, Huston, Larson, Myron, McCall, Runkle, Williams.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 375. A bill for an act to authorize Andover School Township No. 9, in Day county, to issue bonds to build school houses,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, McCumber, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Huston, Langan, Martin, McCall, Morgan, Pierce, Ruger, Steele, Smith, Williams.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 391. A bill for an act to amend an act entitled an act authorizing the county commissioners of Day and Hyde counties to fund the outstanding indebtedness thereof,

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Gregg, Huntington, Langan, Oliver, Southwick, Smith, Scott.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 382. A bill for an act to establish school district No. 20, Hanson county,

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Helvig, Larson, Myron, Miller, Martin, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart and McCall.

Absent and not voting:

Messrs. Gregg, Huntington, Hutchinson, Langan, Oliver, Pickler, Steele, Southwick, Smith, Van Osdel, Ward of Brule.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 238. A bill for an act to amend section 236 of the Code of Civil Procedure,

Was read the third time, and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Myron, Miller, McCall, McCumber, Morgan, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Gregg, Huntington, Hobart, Hutchinson, Johnson, Langan, Martin, McHugh, Oliver, Pierce, Pugh, Ruger, Southwick, Stong, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 388. A bill for an act to authorize Montrose and Grant school townships, in McCook county, to issue bonds to fund its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Myron, Miller, McCall, McCumber, Morgan, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Gregg, Huntington, Hobart, Hutchinson, Johnson, Langan, Martin, McHugh, Oliver, Pierce, Pugh, Ruger, Southwick, Stong, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 393. A bill for an act to amend an act entitled an act to incorporate the village of Valley Springs,

Was read the third time and put upon its final passage.

The roll being called there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Myron, Miller, McCall, McCumber, Morgan, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Gregg, Huntington, Hobart, Hutchinson, Johnson, Langan, Martin, McHugh, Oliver, Pierce, Pugh, Ruger, Southwick, Stong, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 383. A bill for an act authorizing the county of Mercer to issue bonds for the construction of a court house, for building of bridges, and for school purposes,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Gregg, Huntington, Langan, Oliver, Pickler. Southwick, Smith.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 329. A bill for an act to establish the independent school district of Harrison, in Douglass county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Mr. Speaker.

Mr. Swanton voting in the negative.

Absent and not voting:

Messrs. Bayard, DeWoody, Gregg, Huntington, Hutchinson, Oliver, Pickler, Steele, Smith, Stewart, Van Osdel, Ward of Brule.

Mr, Johnson being excused.

So the bill passed and its title was agreed to.

Substitute for

House Bill No. 394. A bill for an act appropriating funds for certain purposes,

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 34 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Larson, Myron, Swanton.

Absent and not voting:

Messrs. Gregg, Langan, Oliver, Pickler, Ruger, Steele, Southwick, Smith.

Messrs. Huntington, Hutchinson and Johnson excused.

So the bill passed and its title was agreed to.

House Bill No. 310. A bill for a Joint Resolution to provide for the payment of the printing and binding of the Council and House Journals for the Sixteenth Legislative Session,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Gregg, Huntington, Langan, Miller, Oliver, Smith, Van Osdel.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 269. A bill for an act to legalize the acts of the commissioners of Dickey county in building a court house,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins,

Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Langan, McCumber, McHugh, Pickler, Smith, Van Osdel.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 385. A bill for an act to legalize the organization of New Salem civil township, Morton county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele,Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Helvig, McHugh, Pickler, Southwick, Smith, Ward of Brule.

Messrs. Johnson and Hutchinson being excused.

So the bill passed and its title was agreed to.

House Bill No. 289. A bill for an act to establish the independent school district of Bridgewater, and to provide for the organization and government of the same,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative. and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Larson, Myron.

Absent and not voting:
Messrs. Dawson, Gregg, Langan, Miller, Pickler, Southwick, Smith, Van Osdel, Ward of Turner, Ward of Brule.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 323. A bill for an act to establish Independent School District No. 2, Oak Hollow, of Hutchinson county, Dakota Territory, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Sprague, Stebbins, Scott. Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:
Messrs. Gregg, Huntington, Huston, Langan, Oliver, Pickler, Steele, Southwick, Smith, Ward of Brule.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 318. A bill for an act to provide for the return of patients from Hospital for the Insane to their homes,

Was read the third time, and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams.

Those who voted in the negative were:
Messrs. Van Osdel and Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Langan, McCall, McCumber, Morgan, Ruger, Southwick, Stong, Ward of Brule.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 320. A bill for an act authorizing and empowering the county commisrioners of Cavalier county to fund its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 1 vote in the negative, viz.:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Miller, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddel, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Mr. Speaker.

Mr. Myron voting in the negative.

Absent and not voting:

Messrs. Dawson, Eldredge, Huntington, Langan, Martin, McCall, Pierce, Ruger, Van Osdel, Williams, Ward of Brule.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 344. A bill for an act to amend section 1, chapter 48 of the Laws of 1879,

Was read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, DeWoody, Huston, Langan, Morgan, McHugh, Pierce, Ruger, Swanton, Williams.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Van Osdel gave notice of motion to reconsider vote.

House Bill No. 327. A bill for an act to provide for the funding of the outstanding indebtedness of Marion school township, in Turner county,

Was read the third time and put upon its final passage.

The roll being called there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, McCumber, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, DeWoody, Eldredge, Huntington, Martin, McCall, Morgan, Pierce, Ruger, Williams,

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 299. A bill for an to act creating the county of St. Pierre, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messre. DeWoody, Huston, Langan, McCall, Morgan, Roach, Ruger, Swanton, Van Osdel.

Messrs. Johnson and Martin being excused.

So the bill passed and its title was agreed to.

House Bill No. 235. A bill for an act amending chapter 75 of the Session Laws of 1883, in relation to the drainage of land,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Hobart, Helvig, Larson, Myron, Miller, Martin, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, DeWoody, Huston, Hutchinson, Langan, McCall, Morgan, Pugh, Ruger, Stewart.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

House Bill No. 373. A bill for an act to amend section 1 and to repeal section 6 of an act entitled an act in relation to the bonds and coupons issued by the township of Elk Point, Union county, Dakota, approved February 16th, 1885,

Was read the third time and put upon its final passage.

The roll being called there were 30 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Johnson, Larson, Myron, Miller, McCall, McHugh, Parshall, Pickler, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Smith, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Huston, Helvig, Hutchinson, Langan. McCumber, Morgan, Oliver, Pierce, Riddell, Southwick, Swanton, Sprague, Scott, Van Osdel, Ward of Brule.

Mr. Martin being excused.

So the bill passed and its title was agreed to.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 9, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bills Nos. 97, 25, 234 and 167.

Also,

House Bill No. 76. A bill for an act to insure the better education of practitioners of Dental surgery, and to regulate the practice of dentistry in the Territory of Dakota.

GILBERT A. PIERCE,
Governor.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 9, 1885.

MR. SPEAKER:

I have the honor to inform you that the Council has this day appointed a conference committee, to act with a like committee on the part of the House to consider section 39 of

Councill Bill No. 156. A bill for an act to revise and amend article 11 of the Civil Code, known as the insurance bill,

And that the Council has named as such committee Messrs. Twomey, Washabaugh and Pettigrew,

A. W. HOWARD,
Chief Clerk.

The Speaker appointed as a conference committee from the House Messrs. Oliver, Huntington and Blakemore.

BISMARCK, March 9, 1885.

MR. SPEAKER:

I am requested to inform the House that the Council has passed the following Resolution, to-wit:

Resolved, By the Council, the House of Representatives concurring, that the present session of the Territorial Legislature, being the sixteenth session thereof, do adjourn without day on Friday, the 13th day of March, A, D. 1885, at 12 o'clock noon, of said day.

Also,

I return herewith

House Bill No. 92. A bill for an act creating Nelson county as a legal sub-division and providing for a term of court therein.

Also,

House Bill No. 240. A bill for an act to divide the county of Emmons and create the county of Winona.

Also,

House Bill No. 198. A bill for an act to amend section 414 of the Code ol Civil Procedure.

Also,

House Bill No. 209. A bill for an act to amend section 759 of the Penal Code, relating to terms of imprisonment.

Also,

House Bill No. 308. A bill for an act to fund the indebtedness of the counties of Brookings, Burleigh and Grand Forks.

Also,

House Bill No. 225. A bill for an act to amend paragraph 1 of section 1,970 of the Civil Code.

Also,

House Bill No. 286. A bill for an act to change the name of the village of Nordland, Kingsbury county, to that of Arlington.

House Bill No. 186. A bill for an act to provide for erection of court house and jail in county of Clark, and for other purposes.

Also,

House Bill No. 364. A bill for an act creating the county of Adams, and for other purposes.

House Bill No. 169. A bill for an act providing a charter for the city of Clark.

All of which the Council have passed without amendment.

Also,

Return herewith

House Bill No. 372. A bill for an act to amend an act defining the boundaries of Kidder county,

Which the House has this day passed without amendment.

Also,

I transmit herewith

Council Bill No. 232. A bill for an act to repeal sections 58, 59 and 10 of section 60, chapter 21 of Political Code.

Also,

Council Bill No. 296. A bill for an act establishing independent school district No. 1 of Hutchinson county.

Also,

Council Bill No. 297. A bill for an act authorizing the board of county commissioners of Bon Homme county to fund the outstanding indebtedness of said county.

Also,

Council Bill No. 298. A bill for an act authorizing the board of county commissioners of Davison county to fund the indebteeness of said county.

Also,

Council Bill No. 308. A bill for an act authorizing county commissioners of Benson county to fund the indebtedness thereof.

Also,

Council Bill No. 312. A bill for an act establishing independent school district No. 2, of Grand Forks.

Also,

Council Bill No. 313. A bill for an act supplementary to an act entitled an act supplementary to chapter 28 of the Political Code.

Also,

Council Bill No. 318. A bill for an act to define the sixth judicial district and to sub-divide and fix the terms theirin, and for other purposes.

Also,

Council Bill No. 326. A bill for an act to establish independent school district No. 2, of Bon Homme county.

Also,

Council Bill No. 327. A bill for an act to legalize certain acts of the county commissioners of Spink county.

Also,

Council Bill No. —. A bill for an act to repeal section 2 of chapter 35 of the Session laws of 1883.

Also,

Council Bill No. 330. A bill for an act in relation to the U. S. government bridge across Choteau creek, and to the government road in the counties of Charles Mix and Bon Homme.

Also,

Council Bill No. 331. A bill for an act to legalize the assessment of taxes of Roberts county for the year 1883.

Also,

Council Bill No. 332. A bill for an act to repeal section 3 of chapter 11, Laws of 1883, and to revive section 378 of the Code of Civil Procedure.

Also,

Council Bill No. 333. A bill for an act to provide for taking the census of the Territory of Dakota.

Also,

Council Bill No. 337. A bill for a Memorial to Congress in regard to educating Indian children within the territory.

All of which the Council have passed, and a concurrence by your honorable body is respectfully requested.

Also,
Return herewith
Substitute for
House Bill No. 179. A bill for an act to amend section 1, chapter 19, Laws of 1883,

To which the Council has made an amendment to section 2, making it read as follows: "This act repealed so far as it relates to Faulk county."

I also have to inform you that the Council has concurred in the
House substitute for
Council Bill No. 102. A bill for an act creating the office of commissioner of emigration, and providing for the appointment of a commissioner of emigration for the Territory of Dakota.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

Mr. Pickler moved
To concur in the amendments to

House Bill No. 179.

Which motion prevailed.

The Speaker announced his signature to
Council Bills Nos. 93, 238, 212, 126, 46, 95.

The Speaker announced his signature to the following:
House Bills Nos. 364, 204, 225, 326 and 305.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 201. A bill for an act to amend section 5 of chapter 5 of the Political Code.

Was read the first time.

Council Bill No. 262. A bill for an act to amend sections 402 and 515 of the Civil Code of Dakota Territory.

Was read the first time.

Council Bill No. 291. A bill for an act entitled an act providing for the funding of the outstanding indebtedness of the city of Mitchell.

Was read the first time.

Council Bill No. 292. A bill for an act entitled an act to vacate certain blocks in Marion Junction.

Was read the first time.

Council Bill No. 306. A bill for an act to incorporate the city of Northwood.

Was read the first time.

Council Bill No. 304. A bill for an act to vacate North Tyndall, in the county of Bon Homme, Dakota,

Was read the first time.

Council Bill No. 317. A bill for a Joint Resolution providing for extra services of engrossing clerks and payment for their services,

Was read the first time.

Council Bill No. 231. A bill for an act to authorize the directors of penitentiary at Sioux Falls to make a contract for the care of the United States prisoners, and to rent the United States wing to said penitentiary,

Was read the first time.

Council Bill No. 249. A bill for an act to create a new subdivision of the Third Judicial District,

Was read the first time.

Substitute for
Council Bill No. 286. A bill for an act defining the boundaries of Cavalier county,

Was read the first time.

Council Bill No. 285. A bill for an act creating a judicial subdivision of the Second Judicial District,

Was read the first time.

Council Bill No. 299. A bill for an act to annex certain townships to the county of McHenry,

Was read the first time.

Council Bill No. 300. A bill for an act to fix the terms of the district court for the Sixth Judicial District, exercising the powers and jurisdiction of the circuit and district courts of the United States,

Was read the first time.

Council Bill No. 307. A bill for an act to create a joint school township in the counties of Griggs and Steele,

Was read the first time.

Council Bill No. 311. A bill for an act defining the boundaries of the Fifth Judicial District and fixing the time of holding court therein,

Was read the first time.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 286. A bill for an act defining the boundaries of Cavalier county, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Huston, Hutchinson, Larson, Langan, Myron, Miller, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Ward, of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting.

Messrs. Barnes, Eldredge, Huntington, Hobart, Helvig, Martin, McCall, McCumber, Ruger, Sprague, Van Osdel.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 218. A bill for an act to fund the outstanding indebtedness of Sully county,

Was read the third time and put upon its final passage.

The roll being called, there were 38 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, Morgan, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Huntington, Langan, McCall, McCumber, McHugh, Pugh, Ruger, Stong.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 235. A bill for an act prescribing the duties and regulating the salaries of the county treasurer and register of deeds for Grand Forks, Brown and Bon Homme counties,

Was read the third time and put upon its final passage.

The roll being called there were 32 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Gregg, Hobart, Helvig, Larson, Myron, Miller, Martin, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Langan, Parshall, Van Osdel.

Absent and not voting:

Messrs. Barnes, Eldredge, Huntington, Huston, Hutchinson, McCall, McCumber, Morgan, McHugh, Ruger, Stewart, Stong.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 300. A bill for an act to fix the terms of the district court within and for the Sixth Judicial District of the Territory of Dakota, exercising the powers and jurisdiction of the circuit and district courts of the United States,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, DeWoody, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, Morgan, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Eldredge, Huntington, McCall, McCumber, McHugh, Pierce, Stevens. Stong, Van Osdel.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 247. A bill for an act to amend an act entitled an act to incorporate the city of Canton,

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Johnson Larson, Ruger, Southwick, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 228. A bill for an act to provide for taking depositions in criminal cases,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Pugh, Runkle, Riddell, Roach, Steele, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Oliver, Parshall, Van Osdel.

Absent and not voting:

Messrs. Barnes, Clark, Huston, Johnson, McCall, Pickler, Pierce, Ruger, Southwick, Stevens, Swanton, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 139. A bill for an act establishing independent school district No. 3, Lake county, Dakota,

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Larson, Langan. Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Mr. Speaker.

Mr. Parshall voting in the negative.

Absent and not voting:

Messrs. Barnes, Clark, Dawson, Huston, Johnson, McCall, Pierce, Ruger, Southwick, Stong, Ward of Turner, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 83. A bill for an act to amend section 15, chapter 21, Revised Code,

Referred to general orders.

The House then took a recess for one hour.

After recess,

Mr. Ward, of Brule, moved

A call of the House.

Mr. Steele moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 9, 1885.

To the Speaker of the House of Representatives:

I have the honor to return herewith

House Bill No. 7,

Which has been submitted to me for my concurrence and approval. This bill provides for the removal of the capital from the city of Bismarck to the city of Pierre.

If there are questions of equity involved in this measure I will not now discuss them; if there is something like retributive justice in this measure, growing out of past wrongs—either fancied or real—I do not here and now consider them. I pass by the question of expense and taxation in the construction of new buildings at Pierre; I pass by the fact that two hundred thousand (200,000) dollars worth of property now belonging to the Territory is donated by this act to private persons; I pass by all allegations of impropriety and all charges of corruption which may have been made, to come to the consideration of the one question, Is this measure legal?

We have all taken an oath to support the constitution of the United States. Section 10 of article 1 of the constitution prohibits the passage of any law impairing the obligation of contracts. Is the arrangement consumated between the agents of the last legislature and the city of Bismarck a contract within the meaning of that section? If it is, and if legislatures as well as individuals come within the constitutional prohibition, then none of us can break it if we would, and none of us would break it, in violation of our oaths, if we could.

In the case of Mills vs. Williams, 11 Ired, 105, Justice Pearson declares that while there are some grants conferred at the mere will of the legislature, and subject at all times to be modified and repealed, there are others which assume the nature of contracts and can not be molested. "The legislature," says the learned justice, "is not the only party interested, for, although it has a public purpose to accomplish, it chooses to do it by the instrumentality of a second party. These two parties make a contract. The legislature, for and in consideaation of certain labor and outlay of money, confers upon the party of the second part certain powers and capacities. The expectation of benefit to the public is the moving consideration on one side; that of expected remuneration for the outlay on the other. It is a contract, and, therefore, can not be modified, changed or annulled, without the consent of both parties."

The legislature of 1883 directed a commission to select a site for a capitol, and declared that in consideration of a large amount of money to be paid and land to be given, such site should become the "permanent seat of government." The wisdom of that law has been much questioned, and it is no part of my duty to justify or defend it. It is sufficient to know that Bismarck was chosen; that it accepted the proposition made by authority of the legislature; that it paid the money demanded and contributed the land required. There is no allegation, I believe, that the city has not complied with the spirit and lettter of the agreement. If the contract were between individuals no one would question the binding force of the obligation for a moment. Shall the rule be changed because one of the parties is a great territory, with honor to defend, and equity to maintain? Such an interpretation, in the words of the judge above quoted, "would shock the public conscience." "There is not one law for the sovereign and another for the subject," says Judge Allen (71 N. Y., 549), "but when the sovereign engages in business enterprises and contracts with individuals the rights and obligations of the parties must be adjudged upon the same principles as if both parties were private persons. A state may repudiate its contracts, it may refuse to perform them, but it sovereign right to destroy or impair them is limited by the Federal constitution. It may refuse to respond in damages, and leave a claimant without any remedy, as it may refuse to pay its bonds, but the obligation remains. No legislative fiat can destroy that." In Dunolds vs. the state, (80 N. Y. 36) the court says "it has been settled so as to be beyond controversy, that the constitutional provision which denies to the state the power to pass laws impairing the obligation of contract, applies to all laws passed within its limits, contracts made by the state as well as contracts made by individuals. The sovereign can contract, and has many occasions to do so. It must be governed by the same rules of common honesty which bind individuals."

It is true that, as a rule, the legislature is sovereign, and may modify or abolish the act of its predecessors; but this rule has a plain exception, and this exception seems to be itself without exception. "There is no mode," says the court in a case reported in 5th McClean, 161, "by which a legislative act can be made irrepealable, except it assume the form and substance of a contract;" and commenting on this, Judge Cooley says: "Legislative acts are sometimes, in substance, contracts between the state and the party who is to derive some right under them, and they are not the less under the protection of the constitution because of having assumed that form." (See work on Constitutional Limitations, 126.)

The book seems to be full of such cases, but Judge Storey has laid down a principal in his great work on the constitution, which seems to cover the measure under consideration, entirely and completely. Says that great commentator (See section 1374, Storey on the Constitution): "It has been made a question whether it [the constitutional prohibition] applies to contracts and grants created directly by law or made by some authorized agent, in pursuance of law. It has been suggested that in such cases it is to be deemed an act of legislative power, and that all laws are repealable by the same authority that enacted them; but it has been decided, upon solemn argument, that contracts or grants made by a state are not less within the reach of the prohibition than contracts and grants of private persons. The legislature may make a contract with individuals, by law, and when it is accepted it is equally under the protection of the constitution, and it may be laid down as a general principle that whenever a law is, in its own nature, a contract, and absolute rights have vested under it, a repeal of that law can not divest those rights nor annihilate or impair the title so acquired."

"No court of justice in the country," continues Judge Storey, "would be warranted in assuming that any state legislature possessed the power to violate and disregard such a contract, or that such a power—so repugnant to the common principles of justice and civil liberty—lurked under any grant or ought to be implied from any general expression of the will of the people." (See also sections 1339, 1385, 1393, 1394 and 1395.) To my mind, there is no doubt that this bill plainly violates the constitution we have sworn to support. The rule may be a hard one in some cases and under some circumstances, but we did not make it and we did not enact the law which makes its application necessary. Our only duty is to take the case as we find it, and act with a solemn regard for our oaths. But—it may be asked—has the Territory no power to change the location of its capital? Undoubtedly; there are certainly ways by which a state can resume its sovereignty, being in the interests of public policy that this should be done; but it must first do justice before it asks justice.

There is another phase of the question, which seems important, to be considered. It greatly adds to the difficulties surrounding this bill. The act provides that the property shall be disposed of, the indebtedness paid, and the remaining proceeds distributed among those who have contributed to the erection of the capitol building.

I understand that the land on which the capitol is located, was deeded to the Territory by the Northern Pacific Railroad company for capitol purposes only. That a condition of the grant is that it shall be devoted solely to such purpose, or, failing to be so used, shall revert to the grantor. This being so, the provision for distribution is of no avail, for there will be nothing to distribute.

The building being part of the realty passes with the ground, and the result of this law would be to enrich the corporation which gave the land, while the men of small means who were induced to subscribe to the fund, and some of whom still owe a large proportion of their subscription, must absolutely lose everything. In the same way the provision regarding the payment of the debts contracted by the commission is idle, because there will be no assets out of which these claims can be liquidated. I am sure the legislature does not desire to place the parties who have had no lot or part in this unfortunate conflict at such a disadvantage. It seems to me, apart from other considerations, that this agitation is unwise and untimely. Its inevitable result will be to plunge the Territory into renewed and distracting litigation, of which the people are tired and weary. If I rightly interpret their wishes they are saying to us: "Let us have fair laws, wherever they are enacted; let us have an honest government, wherever it is administered; and in the name of a patient and long suffering people, let us have peace."

I can not approve this bill.

GILBERT A. PIERCE,
Governor.

Mr. Barnes moved

That the consideration of this message be made the special order for Tuesday at 2 o'clock.

The ayes and nays were demanded.

The roll being called, there were 25 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Williams,

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Ward of Brule, Mr. Speaker.

Mr. Hobart being passed, and Mr. Johnson excused.

So the motion prevailed.

Mr. Williams moved

To reconsider the vote by which the message was made a special order.

Mr. Martin moved

To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 25 votes in the affirmative, and 22 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Eldredge, Gregg, Hobart, Helvig, Larson, Langan, Myron, Miller Martin, McCall, Parshall, Pickler, Pierce, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Mr. Johnson being excused.

So the motion prevailed.

Mr. Martin moved

That the Governor's message be printed and laid on the desks of members of the House in the morning.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a Committee of the Whole for special consideration of

Substitute for

Council Bill No. 39. A bill for an act to provide funds for completing the agricultural college at Brookings, Dakota, and to repeal section 2 of chapter 2 and section 6, chapter 3 of the Session Laws of 1883.

When the committee rose it recommended the adoption of the report of the committee on conference, and that the House do recede from its amendments.

THIRD READING OF COUNCIL BILLS.

Substitute for
Council Bill No. 174. A bill for an act to fund the outstanding indebtedness of Hughes county,

Was read the third time and put upon its final passage.

The roll being called, there were 40 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, DeWoody, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Clark, Eldredge, Huntington, McCall, McCumber, McHugh.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Substitute for
Council Bill No. 162. A bill for an act to fund the indebtedness of Potter county, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 36 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, Morgan, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick,. Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Barnes, Clark, Coe, Dawson, DeWoody, Eldredge, Miller, McCall, McCumber, McHugh, Pierce.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Smith moved that
House Bill No. 395
Be referred to the General Orders.

Mr. Barnes moved
To indefinitely postpone its consideration.

The ayes and nays were demanded.

The roll being called, there were 17 votes in the affirmative and 28 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Dawson, Gregg, Helvig, Larson, Myron, McCumber, Parshall, Riddell, Ruger, Southwick, Stevens, Smith, Stebbins, Stong, Van Osdel, Ward of Turner.

Those who voted in the negative were:
Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Miller, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Roach, Steele, Swanton, Sprague, Scott, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Langan and Stewart.

Mr. Johnson being excused.

So the motion was lost.

Mr. Oliver moved
To amend by referring to the Railroad committee.

Which motion prevailed.

Council Bill No. 244. A bill for an act to define the boundaries of the county of McLean,

Was read the third time and put upon its final passage.

The roll being called, there were 19 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Larson, Myron, McCumber, McHugh, Parshall, Pugh, Stevens, Smith, Stebbins, Stewart, Stong, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Hutchinson, Miller, Martin, McCall, Pierce, Runkle, Riddell, Roach, Swanton, Sprague, Scott, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, Huntington, Langan, Oliver, Pickler, Ruger, Steele, Southwick.

Messrs. Johnson and Morgan being excused.

So the bill passed and its title was agreed to.

Council Bill No. 230. A bill for an act to extend and connect certain streets in the town of Madison, Lake county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called there were 41 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Clark, Huntington, Johnson, Pickler, Pugh, Southwick, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 288. A bill for an act to vacate certain portions of Martin & Scobey's addition to the city of Brookings, Brookings county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 44 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Huntington, Johnson, Pugh, Southwick.

So the bill passed and its title was agreed to.

Council Bill No. 111. A bill for an act to amend section 5 of chapter 13 of the Laws of 1879, concerning the blind,

Was read the third time and put upon its final passage.

The roll being called there were 39 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Johnson, Langan, McCumber, McHugh, Oliver, Pugh, Southwick, Swanton, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 204. A bill for an act to incorporate the village of Mayville, Traill county, Dakota,

Was read the third time, and put upon its final passage.

The roll being called, there were 38 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:
Messrs. Barnes, Dawson, Johnson, McCumber, Oliver, Steele, Southwick, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 254. A bill for an act to incorporate the city of Fairbank,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, DeWoody, Eldredge, Huntington, Helvig, Hutchinson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Roach, Ruger, Steele, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:
Messrs. Gregg, Huston, Hobart, Myron, Runkle, Riddell, Sprague, Van Osdel.

Absent and not voting:
Messrs. Barnes, Clark, Johnson, McHugh, Oliver, Pugh, Southwick, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

Substitute for
Council Bill No. 91. A bill for an act to authorize the county of Foster to issue bonds for the building of a court house, and for other purposes,

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Huntington, Huston, Helvig, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Sprague, Scott, Stewart, Ward of Brule.

Those who voted in the negative were:
Messrs. Parshall and Van Osdel.

Absent and not voting:
Messrs. Barnes, DeWoody, Eldredge, Gregg, Hobart, Hutchinson, Miller, McHugh, Ruger, Southwick, Smith, Stebbins, Stong, Ward of Turner, Williams, Mr. Speaker.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 306. A bill for an act to incorporate the city of Northwood,

Was read the first and second times and referred to the committee on Towns and Cities.

Council Bill No. 89. A bill for an act to authorize the county commissioners of Yankton county to remit certain taxes,

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Gregg, Huntington, Helvig, Larson, Langan, Myron, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Stewart, Van Osdel, Williams, Ward of Brule.

Absent and not voting:

Messrs. Barnes, DeWoody, Huston, Hutchinson, Miller, McCumber, Oliver, Pugh, Ruger, Southwick, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Mr. Speaker.

Messrs. Hobart and Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 283. A bill for an act to amend the charter of the city of Casselton,

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Larson, Langan, Myron, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Williams, Ward of Brule.

Absent and not voting:

Messrs. Coe, DeWoody, Hobart, Helvig, Hutchinson, Miller, McCumber, Runkle, Ruger, Steele, Sprague, Ward of Turner, Mr. Speaker.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 167. A bill for an act to authorize the county commissioners of Miner county to fund the outstanding indebtedness of said county,

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Helvig, Larson, Myron, Martin, McCall, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Stong, Van Osdel, Williams.

Absent and not voting:

Messrs. Bayard, Coe, DeWoody, Hobart, Hutchinson, Langan, Miller, McCumber, McHugh, Runkle, Ruger, Sprague, Scott, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 266. A bill for an act establishing independent school district of Gilmer, Lake county, Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Helvig, Larson, Myron, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Coe, DeWoody, Hobart, Hutchinson, Langan, Miller, McCumber, Ruger, Steele, Sprague, Van Osdel, Williams, Mr. Speaker.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 168. A bill for an act changing the incorporate limits of the city of Redfield,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Williams.

Absent and not voting:

Messrs. Coe, Hutchinson, Langan, McCumber, McHugh, Ruger, Steele, Sprague, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 83. A bill for an act to amend section 15, chapter 21, Revised Code,

Was read the third time and put upon its final passage.

The roll being called there were 23 votes in the affirmative and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Coe, Dawson, DeWoody, Hobart, Helvig, Myron, Martin, McCumber, Morgan, McHugh, Pickler, Pierce, Pugh, Ruger, Steele, Southwick, Stevens, Smith, Stebbins, Stewart, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Langan, Miller, McCall, Oliver, Runkle, Riddell, Swanton, Sprague, Scott, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Huston, Hutchinson, Larson, Parshall, Roach, Stong, Ward of Turner.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Blakemore moved

To take

Council Bill No. 83

From general orders and put it on its final passage.

Mr. Oliver moved

To lay the bill on the table.

Which motion was lost.

Mr. Oliver then moved

That further consideration of the bill be indefinitely postponed.

The ayes and nays were demanded.

The roll being called, there were 15 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Coe, Dawson, DeWoody, Huston, Myron, Oliver, Parshall, Pierce, Pugh, Roach, Southwick, Stevens, Stebbins.

Those who voted in the negative were:

Messrs. Blakemore, Clark, Eldredge, Gregg, Huntington, Hobart, Helvig, Larson, Langan, Miller, Martin, McCall, McHugh, Pickler, Runkle, Riddell, Swanton, Smith, Sprague, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Hutchinson, Johnson, McCumber, Morgan, Ruger, Steele, Stong, Van Osdel, Mr. Speaker.

So the motion was lost.

Mr. Riddell moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

The ayes and nays were demanded on the motion to lay on the table.

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 14 votes in the affirmative and 25 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Eldredge, Gregg, McCall, McHugh, Runkle, Riddel, Ruger, Swanton, Smith, Sprague, Scott, Stewart, Ward of Turner.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, DeWoody, Huston, Helvig, Myron, Miller, McCumber, Morgan, Oliver, Parshall, Pickler, Pierce, Pugh, Roach, Steele, Southwick, Stevens, Stebbins, Van Osdel, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Huntington, Hobart, Hutchinson, Larson, Langan, Martin, Stong, Williams.

Mr. Johnson being excused.

So the motion was lost.

Mr. Oliver moved
To reconsider the vote by which the bill passed.

Which motion prevailed.

Mr. Williams moved

To reconsider the vote by which the amendment of the gentleman from Turner was adopted.

Which motion prevailed, and
The amendment was rejected.

Mr. Williams moved
The previous question, the passage of the bill.

Which motion prevailed.

The roll being called, there were 21 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Blakemore, Clark, Gregg, Huntington, Helvig, Larson, Miller, McCall, McHugh, Oliver, Pickler, Runkle, Riddell, Swanton, Smith, Sprague, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Coe, Dawson, DeWoody, Huston, Hobart, Myron, Martin, Morgan, Parshall, Pierce, Pugh, Roach, Southwick, Stevens, Stebbins, Mr. Speaker.

Absent and not voting:
Messrs. Eldredge, Hutchinson, Johnson, Langan, McCumber, Ruger, Steele, Stong, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Martin moved
To reconsider the vote by which the bill passed.

Which motion prevailed.

Mr. Blakemore moved
That further consideration of the bill be indefinitely postponed.

Which motion prevailed.

Substitute for
Council Bill No. 171. A bill for an act to amend section 2,115 of the Civil Code of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called there were 26 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huston, Hobart, Myron, Martin, McCall, McCumber, Morgan, Pierce, Runkle, Roach, Steele, Swanton, Sprague, Stebbins, Scott, Van Osdel, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Helvig, Parshall, Riddell, Smith.

Absent and not voting:

Messers. DeWoody, Gregg, Larson, Langan, Miller, McHugh, Oliver, Pickler, Pugh, Ruger, Southwick, Stevens, Stewart, Stong, Ward of Turner, Ward of Brule.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Oliver moved

To reconsider the vote by which the bill passed.

Mr. Riddell moved

To lay the motion on the table.

Call of the House demanded.

Council Bill No. 280. A bill for an act to change the name of certain churches in Bon Homme county,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Steele, Stevens. Swanton, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, Hutchinson, Larson, McCumber, Roach, Ruger, Southwick, Sprague, Ward of Brule.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 23. A bill for an act to protect the passage of fish in the James or Dakota, Cheyenne and Sioux rivers,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stong, Williams.

Those who voted in the negative were:

Messrs. Blakemore and Van Osdel.

Absent and not voting:

Messrs. Barnes, Coe, Hutchinson, McCumber, McHugh, Oliver, Ruger, Sprague, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Van Osdel moved
That the amendment to
Council Bill No. 302,
Be adopted.

Which motion prevailed.

Council Bill No. 302. A bill for an act to amend the charter of the city of Yankton, approved March 9th, 1883,

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Myron, Miller, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Gregg, Hobart, Larson, Langan, Martin, McHugh, Oliver, Pugh, Ruger, Steele, Southwick, Stong, Ward of Brule.

Messrs. Huntington, Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

Mr. Williams moved
That the amendments to
Council Bill No. 257
Be adopted and placed upon its final passage.

Which motion prevailed.

Council Bill No. 257. A bill for an act to amend an act providing a board of education for the city of Jamestown, Dakota Territory, and regulating the management of the public schools therein,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Myron, Miller, McCall, McCumber, Morgan, Parshall, Pickler, Runkle, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:
Messrs. Blakemore, Dawson, Gregg, Huntington, Hobart, Langan, Martin, McHugh, Oliver, Pierce, Pugh, Ruger, Steele, Southwick, Stong, Van Osdel, Ward of Brule.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 120. A bill for an act to provide for contesting elections for county officers and for the location of county seats, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 32 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Steele, Swanton, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Huntington voting in the negative.

Absent and not voting:
Messrs. Dawson, Gregg, Hobart, Morgan, McHugh, Oliver,

Pugh, Ruger, Southwick, Stevens, Scott, Stewart, Stong.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 152. A bill for an act to provide the planting of forest trees upon the prairies of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Eldredge, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, McCall, McCumber, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Stebbins, Ward, of Turner, Ward of Brule.

Those who voted in the negative were:

Messrs. Martin, Sprague, Mr. Speaker.

Absent and not voting.

Messrs. Coe, Dawson, DeWoody, Gregg, Huntington, Hutchinson, Johnson, Morgan, McHugh, Parshall, Ruger, Southwick, Scott, Stewart, Stong, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 251. A bill for an act supplemental to an act entitled an act to enable the school districts of the counties of Barnes and Griggs to fund their indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Huntington, Hobart, Myron, Martin, McCall, McCumber, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Smith, Sprague, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huston and Van Osdel.

Absent and not voting:

Messrs. Barnes, DeWoody, Gregg, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Morgan, McHugh, Parshall, Ruger, Southwick, Stevens, Swanton, Stebbins, Scott, Stewart, Stong, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 238. A bill for an act to amend section 236 of the Code of Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called, there were 23 votes in the affirmative and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Eldredge, Myron, Martin, McCall, McCumber, Pickler, Pierce, Runkle, Riddell, Roach, Stevens, Smith, Sprague, Stebbins, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Huston, Hobart, Helvig, Larson, Oliver, Pugh, Van Osdel.

Absent and not voting:

Messrs. DeWoody, Gregg, Hutchinson, Johnson, Langan, Miller, Morgan, McHugh, Parshall, Ruger, Steele, Southwick, Swanton, Scott, Stewart, Stong, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 245. A bill for an act to amend an act to establish a code of proceedings in courts of justices of the peace, and to limit the jurisdiction of the same,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Gregg, Huntington, Hobart, McHugh, Oliver, Pugh, Ruger, Steele, Southwick, Smith, Stong, Van Osdel, Ward of Turner, Ward of Brule,

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 260. A bill for an act supplementary to and explanatory of chapter 38 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called there were 27 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Langan. Myron, Miller, Martin, McCumber, Parshall, Pierce, Runkle, Riddell, Roach, Steele, Stevens, Sprague, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Stebbins and Van Osdel.

Absent and not voting:

Messrs. Dawson, Gregg, Huntington, Hobart, McCall, Morgan, McHugh, Oliver, Pickler, Pugh, Ruger, Southwick, Swanton, Smith, Scott, Stewart, Stong.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 16. A bill for an act relating to exemption of volunteer firemen as jurors and from paying poll tax in the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 22 votes in the affirmative, and 6 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Miller, Martin, McCall, McCumber, Parshall, Pierce, Runkle, Riddell, Roach. Smith. Sprague, Stebbins, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Dawson, Huntington, Larson, Myron, Swanton, Van Osdel.

Absent and not voting:

Messrs. Barnes, Gregg, Hobart, Hutchinson, Langan, Morgan, McHugh, Oliver, Pickler, Pugh, Ruger, Steele, Southwick, Stevens, Scott, Stewart, Stong.

Mr. Johnson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 290. A bill for an act establishing the independent school district of Woonsocket, Sanborn county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 24 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Huston, Hobart, Martin, McCall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Stevens, Sprague, Stebbins, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Myron, Oliver.

Absent and not voting:

Messrs. Dawson, DeWoody, Gregg, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, McCumber, Morgan, McHugh, Parshall, Ruger, Steele, Southwick, Swanton, Smith, Scott, Stewart, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 239. A bill for an act to amend section 6 of chapter 19 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called, there were 24 votes in the affirmative and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Eldredge, Huston, Hobart, Langan, Martin, McCall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Sprague, Stebbins, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Hlevig, Larson, Myron, Oliver, Steele, Stevens, Swanton, Scott, Stong, Van Osdel.

Absent and not voting:

Messrs. Dawson, DeWoody, Gregg, Hutchinson, Johnson, Miller, McCumber, Morgan, McHugh, Parshall, Ruger, Southwick, Smith.

So the bill passed and its title was agreed to.

Substitute for
Council Bill No. 142. A bill for an act to amend section 1 of chapter 44 of the Special Laws of 1883,.

Was read the third time and put upon its final passage.

The roll being called there were 32 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Helvig, Larson, Langan, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Stevens, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Huntington, Myron, Swanton, Van Osdel, Mr. Speaker.

Absent and not voting:

Messrs. Gregg, Hutchinson, Johnson, Miller, McCall, Ruger, Steele, Southwick, Smith, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 108. A bill for an act to amend section 3 of the Political Code,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Those who voted in the negative were:

Messrs. Dawson, Huntington, Oliver.

Absent and not voting:

Messrs. Gregg, Huston, Hobart, Hutchinson, Johnson, McCumber, Ruger, Southwick, Smith, Sprague.

So the bill passed and its title was agreed to.

Council Bill No. 179. A bill for an act to amend section 4 of chapter 3 of the Political Code, as amended by chapter 37 of the Laws of 1879,

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, De-Woody, Eldredge, Hobart, Larson, Myron, Martin, Morgan, McHugh, Pierce, Pugh, Runkle, Riddell, Roach, Swanton, Sprague, Stebbins, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Oliver, Parshall, Steele, Stevens, Scott, Stewart, Stong.

Absent and not voting:

Messrs. Barnes, Gregg, Huston, Helvig, Hutchinson, Johnson, Langan, Miller, McCall, McCumber, Pickler, Ruger, Southwick, Smith.

So the bill passed and its title was agreed to.

Mr. Myron gave notice of motion to reconsider the vote by which the bill passed.

Council Bill No. 253. A bill for an act authorizing and directing the county commissioners of Lawrence county to settle with and release the sureties upon the official bond of Robert Neill, formerly treasurer of said county, upon certain conditions,

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Hobart, Larson, Martin, Morgan, Parshall, Pierce, Pugh, Runkle, Riddell, Roach, Stevens, Swanton, Sprague, Stebbins, Stewart, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Huntington, Myron, Oliver.

Absent and not voting:

Messrs. Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Langan, Miller, McCall, McCumber, McHugh, Pickler, Ruger, Steele, Southwick, Smith, Scott, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 74. A bill for an act to locate and establish an asylum and school for the blind, at the village of Ipswich, in Grant county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 22 votes in the affirmative, and 13 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Morgan, McHugh, Oliver, Pierce, Pugh, Roach, Steele, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Helvig, Larson, Myron, Parshall, Runkle, Riddell, Swanton, Sprague, Stebbins, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Blakemore, Gregg, Hutchinson, Johnson, Langan, Miller, Martin, McCall, McCumber, Pickler, Ruger, Southwick, Smith.

So the bill passed and its title was agreed to.

Council Bill No. 199. A bill for an act to incorporate the village of Howard, Miner county, and to repeal former acts of incorporation of said town,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Helvig, Larson, Langan, Myron, Miller, McCumber, Morgan, McHugh, Parshall, Pickler, Pierce, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Gregg, Huntington, Hobart, Martin, McCall, Oliver, Pugh, Smith.

Messrs. Hutchinson and Johnson being excused.

So the bill passed and its title was agreed to.

On motion, the House

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTY-SEVENTH DAY.

BISMARCK, Tuesday, March 10, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All members present except Messrs. Pierce, Johnson and Hutchinson, who were excused on account of illness.

REPORTS OF STANDING COMMITTEES.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

House Bill No. 349,

Have had the same under consideration and beg leave to report the same back and recommend that the bill do pass.

Also,

House Bill No. 183,

Have had the same under consideration and report it back with amendment, and recommend that the bill do pass as amended.

Also,

Council Bill No. 181,

Have had the same under consideration, and report it back with amendments, and recommend that the bill do pass as amended.

Also,

House Bill No. 213. A bill for an act to provide for the taxation of mines, Have had the same under consideration, and report back the printed bill for the original, and recommend that the bill be referred to general orders.

Also,

Council Bill No. 240. A bill for an act to authorize Lawrence county to issue bonds for the purpose of purchasing a location and erecting a jail, and to provide for the payment of the same,

Have had the same under consideration, and report it back with amendments, and recommend that the bill do pass as amended.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 199. A bill for an act to incorporate the village of Howard, Miner county, and to repeal former acts of incorporation of said town,

Have considered the same, and report it back with an amendment to section 16 of said bill, and recommend that the bill pass as amended.

M. L. MILLER,
Chairman.

BISMARCK, March 10, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 389. A bill for an act creating and defining a subdivision of the Third Judicial District, and fixing a time and place for holding a term of court therein,

And beg leave to offer the following amendment by striking out the words "its passage and approval," where it appears in section 4 of said bill, and insert instead thereof the words "the 15th day of April, 1885," and when so amended, that the same be considered favorably and passed by this House.

E. W. MARTIN,
Chairman.

Mr. McCumber moved

The adoption of the report,

And that the rules be suspended,

The bill read the second and third times and put upon its final passage.

Which motion prevailed.

The roll being called, there were 32 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Runkle, Riddell, Southwick, Stevens, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, DeWoody, Hutchinson, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stebbins, Scott, Stewart, Stong.

Messrs. Johnson and Pierce being excused.

So the bill passed and its title was agreed to.

BISMARCK, March 10, 1885.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 34,

Have again carefully examined the same, and have added a provision to the bill so as to include epidemic disease among swine. Your committee is aware of the great importance of this bill. The stock interests of the Territory are assuming large proportions. They are recognized as the real substantial industries, industries that bring wealth into this Territory. We feel that this industry must be protected against the disease known among cattle as pleuro-pneumonia, and against glanders among horses. The only way to do it, in our opinion, is to pass the bill as it now is. We recommend that the whole bill be considered favorably and passed; but in order that a full discussion may be had on it, we recommend that it be again referred to the committee of the whole House.

D. STEWART,
H. W. SMITH,
J. P. WARD,
S. E. STEBBINS.

BISMARCK, March 10, 1885.

MR. SPEAKER:

Your committee on Education, to whom was referred
House Bill No. 328,

Beg leave to report that they have had the same under consideration, and recommend that the said bill do pass, with the exception that as to the time of holding the election therein, provided this committee makes no recommendation.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 312. A bill for an act to promote the construction of the Sioux Falls, Fairbank & Western railroad,

Have had the same under consideration, and report the same back without recommendation.

Also,

House Bill No. 182. A bill for an act to amend chapter 99 of the Session Laws of 1883,

Have considered the same, and report it back to the House without recommendation.

E. HUNTINGTON,
Chairman.

BISMARCK, March 9, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No. 372,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 10th day of March, 1885, at 4 o'clock p. m., presented

House Bills Nos. 5 and 372

To His Excellency the Governor for his signature and approval.

Also,

House Bills Nos. 240, 92, 198, 308, 179 and 286,

And beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

BISMARCK, March 10, 1885.

MR. SPEAKER:

Your committee on Judiciary return herewith

House Bill No. 379,

And recommend that the same be referred to the committee on Territorial Affairs.

Also,

House Bill No. 374,

And recommend that it be referred to the committee on appropriations.

Also,

House Bill No. 181. A bill for an act to prohibit certain officers from serving process under the General Laws of the Territory, and prohibit their being allowed compensation therefor,

And recommend that section 2 and 4 be stricken out; that sections 3 and 5 be changed to sections 2 and 3 respectively, and with said amendments that the said bill be considered favorably and passed by this House.

Also,

House Bill No. 306. A bill for an act to amend an act entitled an act to regulate the sale of intoxicating liquors,

And beg leave to report favorably, and recommend its passage.

E. W. MARTIN,
Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER:

Your special committee appointed to consider

House Bill No. 181,

Beg leave to report favorably and recommend it do pass as amended.

C. W. MORGAN,
Chairman.

Which report was adoptsd.

The following was then submitted:

MR. SPEAKER:

Your committee appointed to investigate charges of bribery and corruption against W. S. Wells and V. E. Prentice, respectfully report that they have taken the testimony in said case, and beg leave to report the same back to the House, recommending that the testimony herewith submitted be read. We also herewith report a package of money containing $980 received from the Governor of this

Territory, which was handed him by M. T. DeWoody, and recommend that the expenses of this investigation be paid out of the same by the chairman of this committee, and that the remainder of said money be paid into the territorial treasury.

MARK WARD,
Chairman.
E. HUNTINGTON.
W. F. STEELE.
E. B. DAWSON,
JOHN T. BLAKEMORE.

Territory of Dakota.

TESTIMONY TAKEN IN THE COMMITTEE OF INVESTIGATION.

L. G. Johnson sworn.

Q. We would like to inquire of you what you know of this matter; if anything, giving it in your own words.

A. Before going on with this investigation, from what I know about it, I desire that an attorney be present who understands the force of these legal questions. There are matters within my knowledge that are going to send somebody to the penitentiary, and it is a matter of too great importance to be treated triflingly or lightly.

Hon. W. F. Ball, of Fargo, was then retained by the committee, and the Hon. Mr. Melville for Messrs. Prentice and Wells.

DIRECT EXAMINATION.

Q. How long have you been here at Bismarck?

A. Since the 12th of January.

Q. Are you acquainted with Mr. DeWoody?

A. I am, yes, sir.

Q. And with Mr. Pierce?

A. Yes, sir.

Q. What are his initials?

A. George W.

Q. State whether or not you, at any time within the past two weeks. heard any conversation between Mr. Pierce and any other person in regard to the payment of money to influence the vote of that person, a member of the legislature, on the capital removal business?

A. I have.

Q. When did you first hear such conversation, and where?

A. Sunday morning; in Mr. DeWoody's room, on Main street, in the city of Bismarck.

Q. Between what persons did that conversation take place?

A. Between M. T. DeWoody, a representative from Edmunds county, and George W. Pierce, from Hamlin county.

Q. Where were you at the time that conversation took place?

A. I was in Mr. DeWoody's bed room.

Q. State the relation that that room bore to the room where this conversation took place.

A. There are two rooms; the front room is used as a sitting room, and has a stove in it, and two doors that hang on hinges when closed make the partition between the bed room and the sitting room.

thQ. What was the condition of these doors at the time is conversation took place?

A. They were closed.

Q. Did they close in such a manner that you could or could not see what was going on in the adjoining room?

A. The doors closed and left an aperture from the bottom of the doors up to about four or five inches above the lock of varying width, at the bottom I should say it was a quarter of an inch, and became closed about four or five inches above the lock. I could see and hear distinctly.

Q. Was there any other persons but Mr. DeWoody and Mr. Pierce in the other room?

A. No, sir.

Q. How long were you in that room before they came into the front room, if at all?

A. I went over to Mr. DeWoody's room in the morning to see him, and he told me he was going to the hotel and would be gone a few minutes, and would be back; that certain matters were about to take place, and that he did not wish to be in a position where his word would be the only one.

Q. You then were in that room on purpose to hear?

A. I was, sir; to hear what took place between Mr. DeWoody and Mr. Pierce.

Adjourned.

Pursuant to adjournment, the committee met in one of the rooms of the Capitol building at 9 o'clock a. m.

All members present, and the direct examination of Mr. Johnson was proceeded with.

Q. Mr. Johnson, state that conversation as nearly as you can.

A. Mr. Pierce and Mr. DeWoody came into the room together; Mr. DeWoody unlocked the door leading from the hall into the sitting room, and the first words of the conversation I heard, I heard Mr. DeWoody remark that it was hot in the room, and Pierce says: "Yes; raise the window." Mr. DeWoody locked the front door, and came and sat down at the table between the room in which I was and the table they used in the room for writing. I was sitting on the floor so that I could see through this hole in the door. I took out my pencil and memorandum, and hastily jotted down what was said between each one, and afterwards from recollection I wrote it out.

Q. From recollection with the aid of that memorandum?

A. Yes, sir.

Q. How soon after?

A. Immediately after; as soon as I returned to my room at the hotel. I have that memorandum in my possession, and I desire to refresh my recollection with that memorandum at this time.

Mr. Melville objects.

Q. Could you give the conversation in detail without the aid of that?

A. I think I could give it substantially.

Q. Could you give it accurately without the aid of that?

A. No. Sir.

Q. Somewhat lengthy discussion?

A. Yes, sir.

Q. Just give that conversation as nearly as you can without the aid of that memorandum.

A. Mr. Pierce said to Mr. DeWoody, "I suppose we are alone." Mr. DeWoody says "this room is the sitting room that we all use that stop at this cottage; there are seven of us, but there is none of them around now. I have locked the door, and they cannot any get in." DeWoody then went and raised the window and came back and sat down and said: "There is no use beating the devil around the bush; what have you got to say?"

"Well," says Pierce, "I understand that talk you and Wells had to-day, and it is all right; I hold the money."

DeWoody says: "Now, Pierce, I am green about this business; it is something I never had anything to do with before, and if I get into it I have got to rely upon you old heads."

Mr. Pierce's reply was that it was a matter of honor.

DeWoody then says: "I do not like this idea of putting the money up in some one else's hands; it don't look to me to be safe."

Pierce says: "Well, we have got to trust somebody; we have got to have confidence. Are you a mason?"

DeWoody says: "No; I am not a Mason, but I belong to the Odd Fellows."

Pierce says: "That is all right, and you will find me a square man."

DeWoody then says: "In my talk with Wells he proposed to put the money up with Major Pickler, and I did not like the idea of that, and he suggested Mr. Melville." And DeWoody told him that he was not satisfactory to him. "I suggested that he put it up in Lar Johnson's hands, and he told him he would have nothing to do with Lar Johnson."

Pierce then said: "You will find it all right, for I hold the money."

DeWoody then says: "Well, Pierce, how would it do for you to give me your note for $900, payable when I vote in the House?"

Pierce's reply to that was: "DeWoody, I do not want to make a cent off you; you can have the the thousand, and I do not want to get my paper mixed up in this thing."

DeWoody then asked him how many members they had fixed in the north.

Pierce made the reply: "Four sure; possibly five, and the thing may be unanimous. We have got to have more men to spare, because if the Governor vetoes the bill we have got to pass it over his veto."

DeWoody then asked him: "Have you fixed any more from the south?"

Pierce made the reply: "I understand we have. We count on five members that was in the North and Central Dakota combination.

DeWoody says: "By the bye, Pierce, was that man coming up stairs as we came down from the Sheridan House from North Dakota one of them?"

Pierce meditated; says he: "Which one do you mean; I do not remember."

DeWoody replied his name began with S.

Pierce says: "Oh, yes; Stong. I understand that he is all right."

DeWoody says: "How's Stevens?"

Pierce smiled and said: "You guess."

I believe he said that; something like that; I would not say that that was his exact language, but of that purport.

DeWoody says: "Well, Pierce, you understand that this is mighty serious business, and I do not feel that I will put myself in the power of anybody. If they expect to catch me, they have got to give me the stuff."

I do not believe I can give Mr. Pierce's reply to that in his exact language. I can convey the idea.

Q. Give the substance.

A. The idea that he conveyed by his answer was this: "Wells don't do business entirely for himself; he is acting under instructions, and while he is willing to make everybody safe connected with this thing, he wants to be safe himself."

DeWoody says: "I want to be safe too."

DeWoody then said: "Pierce, you go back and see Wells, and see if he is willing to put up $500 with me in money, and $500 in drafts that he has got that he showed me; in the meantime I will consider the matter."

"Pierce says: "Well, I will talk with him again."

There was considerable more talk about that time. I might recall it, but I think I could do it much more to the satisfaction of the committee and the counsel if I referred to my memorandum.

Q. You think you could not give it more elaborately without referring to your memorandum?

A. Well, I think I could by reflection recall other words that passed between them.

Mr. Huntington—Was there much more at that time?

A. Considerable; the conversation lasted some ten or fifteen minutes.

Mr. Ball—I will request that Mr. Johnson have the privilege of looking at his memorandum made at the time, and make any additions to his testimony that he desires.

No objection.

A. I see I have omitted to state one matter, one question and answer that was made when Mr. DeWoody, in reply to an answer of Mr. Pierce's as to the amount of money, and the manner in which it was to be disposed of.

Mr. Pierce says: "Well, that ain't the way I understand it; I am to get an envelope containing $1,000, and I am to deliver that up to you when the Governor signs the bill. That is the way that Wells told it to me last night."

DeWoody's reply was: "That won't wash."

After my answer giving Mr. Pierce's statement as to Mr. Well's position, and acting under instructions, Mr. DeWoody says to him by the way of inquiry: "Now, Pierce, if this bill had been passed when it was up before, would any of the boys have been taken care of?"

Mr. Pierce's reply was: "Only three or four. I am glad it did not pass at that time, because now we are all going to be."

DeWoody says: "That is about the way I put it up. Pierce, what do you think of this capital removal and county seat schemes, anyway?"

Mr. Pierce's reply was: "I look at it just like this: They are schemes that somebody is going to make money out of, and us fellows that help them get it are entitled to a share of it. I look at it just like I do a man hiring another to hoe potatoes for him by the day. If he works, he is entitled to a share of the crop, or pay for his labor."

DeWoody's reply to that was this: "If the Capital goes to Pierre these fellows will make some money out of it."

Pierce's reply was: "Yes, they will."

Mr. DeWoody says: "Are you in your district altogether?"

Mr. Pierce's reply was: "Yes, we all understand eachother but Blakemore and me, we each understand each other."

"DeWoody says: "I have never done anything of this kind in my life, and I do not know as I will do this; but it looks to me as though it was all on one side—and not on mine."

Mr. Pierce says: "Well, you see, DeWoody, we have got to have confidence, in this kind of business, in somebody."

Pierce says: "What about George Johnson? we ain't been able to get at him."

DeWoody says: "Well, George is a square man."

Pierce says: "Yes, I believe that."

DeWoody says: "Yes, George will always do what is right."

"I do not know how I can get him to vote for this bill."

DeWoody asked him then how much he was willing to put up for the Seventh District.

The answer I did not hear; I did not catch it.

DeWoody suggested to him that business—I think that was the expression—that business ought to be done with mighty few men.

Pierce says: "I agree with you there; it won't do to let too many know about it."

DeWoody says to him just before they were leaving: "Well, Pierce, I ain't satisfied with this arrangement, and I don't propose to say now that I will do this. I want you to submit that proposition to Wells and see how that strikes him."

Pierce says: "All right; I will have a talk with him to-day, and I will see him again this evening."

DeWoody says: "Let's get out in the air, the room's so hot."

They unlocked the door and went out together. That is the last I heard of that conversation. I went out on the street and went to the hotel.

Q. And then immediately made out this?

A. Yes, sir.

Mr. Blakemore—What hour last Sunday morning did this conversation take place?

A. 3:15 p. m.

Mr. Blakemore—How long did this conversation last?

A. Well, I think they were in there ten or fifteen minutes; it might have been a little longer; I did not take any particular note of the time. I know the time they came in, because I looked at my watch.

Mr. Ball—Did you hear any subsequent conversation between the same parties?

A. I did.

Q. When was that?

A. That was yesterday morning.

Q. At what place?

A. At the same place.

Q. What time yesterday morning?

A. By my watch it was 10:34 a. m. when they came in.

Q. Where were you at the time?

A. In the same room that I was previously.

Q. Where were they at the time?

A. In the same room they occupied at the previous conversation.

Q. State the conversation that occurred at that time, with the attendant circumstances.

A. I was in the bed room. Mr. DeWoody was in the front room at the table writing. Mr. Pierce came in from the hall; he came to DeWoody in a hurry. He said: "Well, what is it?" Pierce took a package out of his pocket done up in a newspaper, handed a roll of bills to DeWoody and says: "There's $500." DeWoody sat down to the table and commenced to count it, run it over hastily. Pierce says: "Here's $500; that makes $1,000."

DeWoody took and run that over and says: "You say there is a thousand there?"

"Yes," says Pierce.

DeWoody says: "I guess I will keep it."

Pierce was very much excited; says he: "You understand what this means?"

DeWoody says: "I understand all about it."

"Well, now," says Pierce, "you know what to do with him?"

DeWoody says: "I shall feel a good deal safer if it is in my pocket."

Pierce says: "DeWoody, I believe you are all right; he says the hack is here waiting, let's go right up."

DeWoody says: "You go up; I will be out soon."

Pierce went out doors.

Q. Let me ask if anything was said in express terms at that time by Mr. Pierce; if so, what? or by either of them as to that being for a vote in favor of the removal of the capital to Pierre?

A. Yes, sir; there was.

Q. State that.

A. His reply to Mr. Pierce's question, "You understand what this is for?" "Yes," says Mr. DeWoody, "Wells expects me to vote for Pierre," and Mr. Pierce says: "Yes, and you know it would bust me now if Wells would find out that I did not have this money in my pocket."

"Well," says DeWoody, "it is safer in mine," and then they went out. Mr. Pierce went out of the room; I unlocked the door and we went into Mr. DeWoody's room. Mr. DeWoody remarked to me: "There's the stuff."

Mr. Melville—Was Mr. Pierce present?

A. No, sir.

Mr. Melville—I object to any conversation when Mr. Pierce was not present.

A. We went into Mr. DeWoody's room; Pierce was not there; he had gone to the hack and was waiting in front of the house. We went into the room; Mr. DeWoody had the money in his hands. I says to DeWoody: "Don't count the damn stuff; put it in that envelope and seal it."

He sealed it and wrote his name across the seal, the amount, when it was received, and gave it to me, and I turned it over and, either on the back or below his name, I indorsed my name, L. G. Johnson, deputy sheriff, Burleigh county, and gave it into Mr. DeWoody's possession, and the next I saw of it, it was in Mr. DeWoody's hands on the way to hand it to the Governor.

On motion of Mr. Huntington,

The committee adjourned until 8 o'clock, to meet at the Sheridan house.

Committee met at 9 o'clock p. m., at the Sheridan House, Bismarck, Dakota Territory, March 4, 1885.

Mr. Ball and Mr. Melville, counsel.

L. G. Johnson, witness, recalled.

Mr. Ball.

Q. Please describe a little more particularly the condition of those doors, as to their being any aperture through which you could see all going on, and by reason of which you could hear what was transpiring in the other room.

A. I could survey most of the room through the aperture where the doors shut, through the shiplap; one was sprung in and the other out at the bottom; it had shrunken apart so that above the latch, up for half a foot, was clear apart; then by looking slanting through the aperture you could survey half the room. To get a better view, I took my knife and cut a notch in the laps and could see.

Q. Please to state whether or not there was any aperture in the ceiling by which any person over or above could see and hear.

A. I do not know, as I did not examine. I have seen one in my own room and several others in rooms in the Sheridan House.

Q. That is all I have to ask.

Mr. Blakemore.

Q. I wish to ask if there was any one else in that room last Sunday afternoon.

A. No, sir; not then.

Q. Was it Monday or Tuesday?

A. It was Tuesday—the same day that bill was voted on in the House.

Q. That is all.

Mr. Melville.

Q. These rooms at which you were on that occasion, are they all occupied by Mr. DeWoody?

A. Yes, sir. He sleeps there; he occupies one as a sitting room and sleeps in one.

Q. Where are these rooms located?

A. On Main street and first block west of the Lamborn House.

Mr. Blakemore.

Q. West of the Lamborn Horse?

A. I do not know the number; it was a frame building west of the Lamborn House.

Q. The corner building?

A. No, sir; it is the center of the block west of the Lamborn House.

Q. You mean west or east; this side of the Lamborn House?

A. Yes, sir.

Q. Are those rooms on the second floor?

A. No, sir; first floor.

Q. At whose request did you visit the rooms Sunday afternoon last?

A. Why, I visited there in pursuance of a conversation with Mr. DeWoody I had.

R. And can you give me the hour when you went there?

A. Yes, sir; I went there about 3 o'clock.

Q. And about how long after you visited the rooms before Mr. DeWoody and Mr. Pierce came?

A. Only a few minutes; fifteen or twenty minutes; I would not be exact. I looked at my watch and it was 3:15 when they came in.

Q. After Mr. Pierce had come?

A. Yes, sir.

Q. So that Mr. Pierce on that occasion arrived about 3:15?

A. Yes, sir.

Q. How long did Mr. Pierce remain?

A. The conversation lasted ten or fifteen minutes. It was very warm in the room.

Q. And after the conversation, substantially as you have stated, Mr. Pierce went away.

A. Yes; Mr. Pierce and Mr. DeWoody left together.

Q. How long before you left the house?

A. As soon as they went out I came out and saw them turning going down east, and I went back for my coat and hat, and went to the Sheridan House and wrote out the conversation.

Q. And you had, previous to the writing of the conversation, taken brief notes?

A. Yes, sir.

Q. Of what you heard?

A. Yes, sir; hastily.

Q. How large is the bedroom, and what part of the sitting room was occupied at that time by Mr. Pierce and Mr. DeWoody.

A. I think it was a room about 10x12.

Q. And it opens into the sitting room by folding doors?

A. Yes, sir.

Q. Is there a stove in the main room; where is that located?

A. In the northwest corner of the room.

Q. So that it would be west of the doors?

A. The west door in the bed room swings out and hits the stove.

Q. Now, as I understand you, in regard to getting a sufficient view of the room, you had made a notch in the door?

A. Yes, sir.

Q. So that the crack was not sufficient to get the entire survey of the room?

A. No, sir.

Q, Where were Mr. Pierce and Mr. DeWoody seated on this occasion?

A. Mr. Pierce at the end of the table, between me and the table. At first Mr. Pierce sat down on the lounge on the east side of the room, and in that position I had as perfect a view of him as I have of you. Mr. Pierce got up and sat down at the end of the table, between me and the table.

Q. Facing in what direction; facing west?

A. Yes, sir. Mr. DeWoody sat still further west from Mr. Pierce—only a trifle. It is a small room.

Q. About how far distant from the bed room door did Mr. Pierce sit at the time he sat at the table?

A. Not over four feet; about four feet; not over, I think.

Q. While sitting at the table, was his back or side toward the bed room?

A. His side. The door is a very thin door; an ordinary tone of voice you could hear. I sat upon the floor where I could look through and hear distinctly.

Q. It was in that position you heard the conversation?

A. Yes, sir.

Q. Now, will you give the conversation between the parties as it occurred until Mr. Pierce went away. Give the whole conversation again briefly.

A. All the conversation?

Q. Yes, sir.

A. I will give it to you. Do you want me to use my own language?

Q. Give a general statement.

A. Well, they came into the room. Mr. Pierce said he coincided with that view of the situation. Mr. DeWoody told him that this was business he was green in. Mr. Pierce told him that it was a matter he had to be careful about.

Q. Give me what was said at the time Mr. Pierce went away on that occasion. That is all I care for.

A. When he left the room?

Q. Yes; the conversation of the legislative transaction.

A. They left with an understanding that Mr. Pierce was to call on Mr. Wells and see if Mr. Wells would put up $500 in money and $500 in drafts if he would vote for the removal bill. It was concerning that particular circumstance when they left the room.

Q. What I want to call your attention to specially is, was any time or place of meeting arranged at that time.

A. I did not hear any; it was understood they were to see each other again; that was in a general way.

Q. If I understand you, Mr. Johnson, that understanding of a subsequent meeting was based upon the proposition of seeing Mr. Wells?

A. Yes, sir; that is all that was said in reference to the meeting.

Q. So far as the time or place is concerned?

A. I think it was; yes, sir.

Q. As near as you can remember, the time of meeting was somewhere between 3 and 4 o'clock?

A. Yes, sir.

Q. When did you next see Mr. DeWoody after you left the rooms?

A. Mr. DeWoody came into my room only a short time after. When I came down to the crossing, coming toward the Sheridan house, I saw Mr. Pierce and Mr. DeWoody coming down the street together, and I came right down to my room. In a very few minutes Mr. DeWoody came up to my room.

Q. If I understood that testimony, on Tuesday following this Sunday you were at these rooms?

A. Yes, sir.

Q. You went for the purpose of hearing conversation expected to take place at the same rooms?

A. Yes, sir; that was my business there.

Q. Did you visit the rooms alone that morning?

A. No, sir.

Q. You may state the time, as near as you recollect it, where you was upon that occasion.

A. It was thirty-four minutes after ten by my watch.

Q. If I understood you correctly, you occupied substantially the same position you occupied on Sunday afternoon. Did Mr. Pierce knock or ring the bell when he came this morning?

A. No, sir.

Q. He came in without announcement?

A. Yes, sir.

Q. Did you know how he came to the building?

A. He came in a hack, and the hack waited for him while he came in. I saw the hack drive up; I stepped back into the room and closed the door; Mr. Pierce came in.

Q. What position did he occupy during the time?

A. He stood on the west side of the table; he was not seated.

Q. You may give what he said.

A. There was little said. As he came into the door Mr. DeWoody was seated at the table; Mr. Pierce came up immediately at the corner; DeWoody arose and was standing at the northwest corner of the table; he took out of his pocket a package done up in a newspaper—a paper with print on it; he handed Mr. DeWoody a package of money and says: "There is $500."

Q. When he handed him the package, did he undo it first?

A. He undid it; there was two $500 packages; he handed Mr. DeWoody one of them; Mr. DeWoody began to run it over; Mr. Pierce says: "I am in a hurry, Mr. DeWoody, and you had better get in and ride up, and he handed the other package to him, and says: "There is the other $500." Mr. DeWoody took it and says: "I guess I will keep it." Mr. Pierce says: "You know what they will do to me if I do not have this money." Mr. DeWoody says: "This is as fair in my opinion." Mr. Pierce says: "You know what is expected of me." Mr. DeWoody says: "Mr. Wells expects I will vote for Pierre on the removal of the capital." Mr. Pierce says: "It will be all right for all of us." Mr. Pierce went out of the door.

Q. Well, now, did Mr. Pierce come back into the room on that occasion?

A. No, sir.

Q. That is substantially all?

A. That is all that took place; yes, sir; some little expression I might have omitted; that gives the substance within my observation, the sense of what occurred in the room.

Q. Those two occasions, as you have stated, is all you know in reference to Mr. Pierce in this matter, of your personal observation.

A. No, it is not, Mr. Melville; there are other facts.

Q. You have given all substantially?

A. Yes, on these two occasions only.

Q. I think that is all.

Substantially correct,

L. G. JOHNSON.

Mr. M. T. DeWoody sworn as a witness and testifies as follows:

Mr. Ball—Mr. DeWoody, you are a member of the House of Representatives, are you not, the present session?

A. Yes.

Q. Are you acquainted with Representative Pierce of the House?

A. Representative Pierce—that is the Sixth District—yes, sir.

Q. Are you also acquainted with Mr. Wells, of Pierre?

A. Wells, of Pierre—he is a small man with sandy whiskers—yes, I know him.

Q. Are you acquainted with Mr. Prentice, of Pierre?

A. Yes; I have seen him a few times at the variety and other places.

Q. Mr. DeWoody, have you at any time within the past two weeks had any conversation with Mr. Prentice in regard to your vote on the capital removal bill now pending in the legislature?

A. The last two weeks; within the last two or three weeks I rode up to the capitol with Mr. Prentice, and we were alone, that is, the driver was there; Mr. Prentice wanted to know what the devil we meant in central Dakota going against their interests at Pierre or Sixth District. I asked him what kind of interests; we had stood by him on the Spink county deal all along. He said: "You know what I meant—removal of the capital to Pierre." I told him I thought that was dead and referred to special committee, and dead in safe hands. He said: "You need not worry; it will be brought to life again; you fellows are not doing the right thing, you are going with the north, and it is a matter of business. Your combination will probably go all to the devil." I said it was solid and would see light before the end of the session. That is all at that time.

Q. After that, did you have conversation with Mr. Prentice at a hotel on this subject?

A. Yes; Mr. Prentice was in the hall and said that he wanted to see me and talk about this capital removal, and I think we then took a drink, and that is all said at that time.

Q. What, if anything, was said at that time in regard to his going to see Mr. Wells?

A. There was nothing said at that time in regard to going to see Mr. Wells, but some time last week—I judge about the middle of the week—I was going down the street corner of Griffin's, and met Dr. Kennedy of our district, and stopped with him and talked, and Mr. Prentice came along and called me out to the west side of Griffin's store and asked me then if I would not come over and see Mr. Wells that night, and he said Mr. Wells wanted to see me on particular business.

Q. Is that all that occurred there?

A. That is all I remember.

Q. When, after that, did you next see Mr. Prentice to have a talk with him?

A. One night last week a number of us were in George Rice's room—eight, I think—Mr. Steele, Mr. Huntington; I ordered drinks, and all went down into the bar room and got the drinks; after I ordered the drinks I went into number four and got my overcoat. Mr. Prentice was in the hall, and he said a man wanted to see me when I came back, and I said that I would be back in ten minutes to sixty-four. I went to four from sixty-four to get overcoat and overshoes and get a report to bring up to Mr. Huntington. I met Mr. Prentice at the hall and taking me into room thirty-nine.

Q. Who did you find?

A. I found nobody; and Mr. Prentice said: "I want to bring in a man here and introduce to you."

Q. Did he go out leaving you there?

A. Yes.

Q. How long did you remain until he returned?

A. Probaply three minutes; may be ten. Then Mr. Prentice brought in a certain gentleman and introduced him as Mr. Wells.

Q. After introducing you how long did he remain?

A. He went right out. Mr. Prentice said: "He will talk business to you, and you can talk business to him."

Q. Now, after leaving you with that kind of an introduction, what conversation took place?

A. Mr. Wells sat down and lowly asked me how my people felt on the capital question. I said my people were opposed to capital removal unanimously. Mr. Wells says: "Can you not make it pay you to vote the removal of the capital to Pierre?" I told him on certain conditions I might.

Q. Did you name those conditions?

A. He asked me how much money it would take for me to vote for Pierre.

Q. What reply did you make?

A. I asked him how much he would give.

Q. What did he say?

A. He said he would give me one thousand dollars, and pulled the money out; he showed a roll of bills; I do not know how much, but a big pile of money.

Q. Did he take out anything else?

A. He took out money, nothing else. He said: "I can count you out a thousand dollars right away." I said I was not prepared to say. I asked him how many men he had in the Council, and are you fixing all the boys this way. He said: "We have got twenty—sixteen solid south, and four from the north, and they all have a thousand." I told him I would see him again, and he got me up there and had me raise my hand and swear that I never would divulge anything that transpired in that room. I did not swear but I held up my hand.

Q. Now, at that interview were there any checks exhibited?

A. No, Sir.

Q. Did you have subsequent meetings?

A. Yes; fifteen or twenty; quite a number.

Q. Was there any interview when he took out certain checks and told who he was?

A. Well, the next interview with Mr. Wells, I was in a bar room, and a certain man came to me and whispered in my ear and said a man wanted to see me in forty-six.

Q. What did you do? Did you go up there?

A. No, I did not; I went up into number four first, and then went into county committee meeting and in the hall met Mr. Prentice, and Mr. Prentice said Mr. Wells wanted to see me in forty-six. I went up into forty-six. Mr. Prentice told me to rap once; this was a signal. I went up and rapped once on the door.

Q. Were you admitted?

A. I was showed in in a hurry, and the door was locked.

Q. Who was there; Wells alone?

A. Yes, sir.

Q. What occurred at that time?

A. Mr. Wells asked me if I was prepared to give him an answer on the capital removal; whether to accept his proposition or not, and I said I was. He wanted to know how much it would take; I told him it would take one thousand dollars in my pocket—give me one thousand dollars and I'll take the money and consider it the capital removal deal. He said he could not do that; he pulled out a letter and says, "Do you know who I am?" I said, "Yes, I know you are Mr. Wells." He said I am president of something on a letter head he showed and a man by the name of————, some officer, secretary or treasurer. I saw the name on it; I told him I did not care whether he was president or what; and he said he had some checks. Said he: "I have some instructions; I would willingly pay you the money; my instructious are to pay into ceriain parties hands and pay after the capital is removed. I have to follow instructions. I have drafts on Saint Paul, Minneapolis and Chicago to put up, and I will agree to have them cashed before you leave the town." I asked him in whose hands he would put the money up in, and he recommended a certain man and I objected, and finally he said he would put them up in my father-in-law's hands, —— Hazelton, if I wanted to, and if I did not vote for the capital removal the money would be returned.

I then went out of the room down stairs. In not over fiteen minutes Mr. Prentice came to me and told me to go back to forty-six, and I went back and Mr. Wells was there, and wanted to know more.

He said: "I have been thinking the matter over. It would not do to put up any money in your father-in-law's hands; it would make hard feelings in the famtly."

I interrupted and said: "That is the last thing I want done."

He said: "How would it do in Mr. Prentice's hands?" and I told him it might as well be in his own hands, and finally he suggested Mr. Blakemore. I told him if Mr. Blakemore would consent to it I was perfectly willing.

That was all I saw of him at that time, and last Friday night I was called to the necessity of going into forty-six. I was taken into forty-four, and we talked the matter over there, and he had not said anything to Mr. Blakemore; he was "devilish peculiar," or something of that sort. Well, he wanted to know if Mr. Pickler would do; I told him he was perfectly srtisfactory and proper. We talked over one thing and another, how the capital was going to be removed, and how many votes they had in the House and Council. They were figuring thirty-five in the House and have enough to carry it over the Governor's veto. Well, I adjourned.

Q. The next time you met,

A. I met him next last Saturday, sometime between 9 and 10 o'clock, in room forty-four.

Q. What statement did he have?

A. He told me he had not said anything to Mr. Pickler, and asked if I had said anything. I had not. "Well," says he, "he is a cowardly fellow, and tickilsh," and he asked me how Mr. Pierce would do. I told him I had not said anything to the man, and that the only safe place to deposit was in my vest pocket. He said he could not do it, and again pulled out his money and showed it to me.

Q. What further transpired that time?

A. He said he would see Mr. Pierce and would put Mr. Pierce under my instructions, and would leave a certain package in room forty-four, and Mr. Pierce would take that package and deliver it to me, and the package was to contain a thousand dollars. When the bill passed the House Mr. Pierce was to pay me five hundred dollars, and when signed by the Governor, or carried over his veto, five hundred dollars more.

Q. What did you say?

A. I told him if he made that arrangement with Mr. Pierce, why it was satisfactory.

Q. And did you separate?

A. We separated, and last Sunday, about 3 o'clock, I judge, I went into sixty-four and saw Mr. Pierce in it and Mr. Rice, and I think Mr. Huntington—I am not positive—in that room. And I went out of the room, and Mr. Pierce followed me out. Mr. Pierce said: "I understand you want to see me?"

"Yes, I said, "I want to see you a few minutes. I want to see my father-in-law and I will be back in twenty minutes."

And I went down and got a certain man to go in my bedroom and locked him in.

Q. Who was he?

A. L. G. Johnson.

Q. After that what did you do?

A. I came over and got Mr. Pierce, went to thirty-nine. Mr. Pierce asked me if I thought it was cold, and he put on his overcoat. I did not have one on. We went out through the bar and we took a drink—he drank whiskey, and I drank beer—and we went out the door that leads toward Griffin's store. He says: "Let us walk this way," and I told him we had better walk up towards my room, and we went up and went into my room and I shut the door and locked the door; it was warm and I went and raised the window. We had a little conversation.

Q. While in that sitting room what conversation, if any, did you have in regard to his having any money for you from Mr. Wells?

A. I do not know; there was not half an hour's conversation; ten or fifteen minutes.

Q. Can you pretend to give all that conversation?

A. No; I can not.

Q. Can you give the substance of it?

A. Well, if I remember right, I told him it was no use to beat the devil round the bush, and talk business, and told him it was a pretty big scheme on foot, the capital removal, and asked him many other things. I can not give the order as it occurred; I asked him if Mr. Wells had said anything to him about certain money matters; he said there was a certain package to be delivered to me; I can not pretend to give it all.

Q. State what, if anything, was said to him as to money being left with him to be delivered to you in certain contingencies, and what those contingencies were.

A. He stated that there was to be a package to be left with him to be delivered to me upon the contingency I should vote for the bill for the capital removal; I asked if certain of the other boys were taken care of, and he said they were,

Q. If you do not remember the details, state whether you directly made any new proposition.

A. The proposition was, I asked him first if he gave a thousand dollars, if he wanted to give me his note for nine hundred dollars; he did not want to give his note, and I asked him if this capital had been removed when this bill came up. how many men would have realized anything. He said only three or four; he said if a man hoed potatoes for him, it was a business transaction and he ought to get paid for his work; and I asked him how his district was, and he said there was nothing put up as far as he was concerned, but that he had the screws on Wells, so that he would be taken care of; I asked him to see Mr. Wells and see if he would deliver a certain package to me through him.

Q. What did he agree to do?

A. He agreed to see Mr. Wells.

Q. And when next did you see Mr. Pierce?

A. Next saw Mr. Pierce last Monday night; I was sitting out on the railing; there was a meeting of the county committee in there, and Mr. Pierce came up to me and spoke to me, took me by the arm and we went down that hall going west; Mr. McKenzie and Mr. Scobey were sitting on the lounge; he pointed and said: "I have that package in my pocket, and it is safe."

Q. Anything further said?

A. Nothing further.

Q. When did you next see him after that?

A. Next, yesterday morning, about 10 o'clock, between 9:45 and 10 o'clock, in room 39; he said he had that money.

Q. Alone?

A. Yes; he was talking with a man at the door; I do not know who it was; he went out; I closed the door.

Q. What then happened?

A. I told him to come to my room, I wanted to see him and to count the money and swear him; I saw Dr. Ware from Salem; I told the doctor I wished he would see Mr. Pierce and would get a private hack and come with Mr. Pierce to my room, I wanted to see him; I pulled out a dollar and handed it to Ware; he did not take it; said he had money; and I went to my room and started to write a letter to my wife; it was after ten; Mr. Pierce came in and said he had that money, and he handed me the money; he handed me one pile, one package with $500 in; I told him: "Let me see the other;" I took both packages and shoved them in this coat pocket, and said I had use for that money; I did not know whether it was one thousand dollars or ten thousand; I did not count it; I wrote my name across the seal.

When you took that package, what transpired?

A. It was in a large paper; the package was done up in that paper; he says: "Here is this package," and took it out and I unrolled it myself; I took the money out of the packages.

Q. What conversation took place at that time when you took the packages and put them into your pocket?

A. I told him: "Let me see the other," and shoved them into my pocket.

Q. What did he reply?

A. He said he knew what position it put him in.

Q. What did he say about Wells?

A. He said it would place him in a bad light if Wells knew he had delivered them to me.

Q. What did he say on that matter?

A. He said hurry up, for the capital bill was going through with a whirl.

Q. Did he say what this was for?

A. I don't know that he did. I don't remember.

Q. Do you remember what, if any, statement he made as to your understanding what it was for?

A. My understanding was to vote for Pierre.

Q. Was that stated there at that time?

A. Yes, sir; it was.

Q. Now, Mr. DeWoody, at the time that this thing began—that money began to be talked of—state whether or not you informed others.

A. I informed others of the first proposition that was made.

Q. What was your purpose?

A. My purpose was to go to the bottom of this damnable capital fraud.

Q. Was that your sole purpose?

A. Yes, sir.

Q. Your sole purpose?

A. I certainly did not vote for Pierre.

Mr. Steele.

Q. Was there anybody else endorsed his name on the envelope?

A. Yes, sir—and Scobey was there; it was left in that manner, with the cover sealed up.

Counsel.

Q. Did you leave the room with Mr. Pierce?

A. He went out the doors a little while before and said we were in a hurry; he put on his coat; I drove up to the capitol with Dr. Ware; we went into the room when the session was called.

Mr. Melville.

Q. I have only a question or two in reference to this matter. Mr. DeWoody, did Dr. Ware come to your place Tuesday morning with Pierce?.

A. Yes, sir; he came in the hack and sat in the hack, and Mr. Pierce came in.

Q. Did Mr. Pierce sit down in the room?

A. No, sir; he stood up.

Q. How long was he in?

A. He staid a short time.

Q. And after this transaction, as you have related, and went back to the hack?

A. Not clear back; and he rushed back and said: "Hurry up, we have got to get there."

Q. I asked whether he did not wait very long.

A. It was not over three minutes from the time he came out first.

Q. When was this money delivered to the Governor?

A. It was delivered yesterday. I took it down to the Governor and showed it to him sometime about noon and showed him what I had—showed him the package. I should say it was some where about 3 o'clock yesterday afternoon; it might have been half-past two.

Q. The money was in your possession from the time he and you left on that occasion?

A. Yes, sir; I showed to Huntington and Rice and two or three other parties.

Q. Mr. Pierce and you arrived at the House together?

A. Yes, sir; we walked east and had some more private talk.

Q. And returned to the Sheridan House?

A; No, we stopped over on the corner, and he said he had to go up and see Mr. Day.

Q. About what hour was that?

A. I should say it was some where from—Oh, I don't know what hour it was.

Q. Over 3 o'clock?

A. I do not know; I will not say that it was three—somewhere from two to four; it was about the middle of the afternoon somewhere.

Q. When was the arrangement made, Mr. DeWoody?

A. It was made that afternoon; it was after the Sunday afternoon arrangement.

Q. That was the only conversation in reference to the meeting Tuesday morning?

A. Yes, sir.

Q. Now, after that you sent word by Dr. Ware?

A. I did not send word, I spoke to him at the bottom of the stairs.

Mr. Blakemore.

Q. This first meeting you had with Mr. Pierce, when did you say that was?

A. I don't remember the first meeting with Mr. Pierce in 39; the first meeting was on Wednesday.

Q. When did that meeting take place?

A. Oh, it was some time last week; Wednesday or Thursday.

Q, You can not be positive as to time of day or time of night?

A. About 11 o'clock; between 11 and 12 o'clock; mighty near midnight.

Mr. Steele—Was it before or after you saw the papers?

A. When I came down and ordered the drinks I came down and got my overshoes and auditor's report, and met Mr. Prentice at the head of the stairs; he said he wanted to see me; I called back and said: "In a few minutes," and came down in the room and got my overshoes and drank my beer and came back.

Q. There is no way by which you could refresh your memory and get at the exact day of the week?

A. We had a committee meeting the night before; I will not swear to the night; it was the same night, in the middle of the hour between 11 and 12 o'clock.

M. T. DEWOODY.

Mr. Prentice sworn, and testified as follows:

Mr. Ball—Mr. Prentice, how long have you been in Bismarck?

A. Well, I think I arrived here second or third day of this session of the legislature.

Q. Been here on business?

A. Yes, sir.

Q. What interest, if any, have you in Pierre?

A. I have real estate interests there; it is my home.

Q. Individual interest?

A. Well, I have individual interests with other parties.

Q. You know Mr. Wells?

A. I do; he is a citizen of Pierre; he is a citizen of one end of our town; he is known to the residents of Pierre.

Q. Is he in Bismarck?

A. He is.

Q. About how long has he been here?

A. He and I came at the same time.

Q. Have you had occasion, since you have been here, to take any special interest in the removal of the capital to Pierre?

A. I have.

Q. You and Mr. Wells both, to your knowledge?

A. Well, I have; what was the last question?

Q. Had you occasion, since you have been here, to take any interest in the removal of the capital to Pierre—you and Mr. Wells both?

A. Mr. Wells has been here for that purpose; I so understand it.

Q. Have you any interest in that matter?

A. I have been here in the interests of Pierre in connection with other interests; I do not know whether he has any other interests.

Q. Do you act in concert?

A. I do not know that we act in concert.

Q. Same on these matters?

A. Yes, sir, we have been very friendly.

Q. Do you know Mr. DeWoody?

A. I do.

Q. How long have you known him?

A. Well, I have known him by sight perhaps two weeks.

Q. How long have you been acquainted with him?

A. I am not very well acquainted with him now.

Q. Were you ever introduced?

A. I do not know that we were ever inroduced.

Q. Have you had conversations with him?

A. Yes.

Q. When was this conversation with him that you remember of?

A. It might have been two weeks ago; cannot tell exactly.

Q. Do you remember where you first had conversation with him?

A. Well, he was boarding at the Merchants hotel, and I was boarding there; I think that was the first; that is where I came to know who he was.

Q. As to the first conversation with him, do you know where that was?

A. I think it was at Merchants hotel, at meal time.

Q. Do you remember the subject the first time?

A. I do not remember.

Q. Probably general matters.

A. Probably.

Q. Did you ride to the capitol in company with Mr. DeWoody?

A. I do not have any remembrance of it; have no remembrance of riding at all.

Q. Did you have any conversation with him on the street on the removal of the capital.

A, I had; the first one about ten days ago.

Q. Where?

A. It was on the street; Mr. DeWoody and Mr. Eldredge and I came along; it was the same time those appropriation bills were re-committed to a special committee, and I had a short conversation with him.

Q. Whereabouts on the street was it?

A. Right opposite the corner next to Griffin's; this side, I think; I don't know.

Q. What was the purport of that conversation?

A. Mr. DeWoody says: "You saw what was done up there to-day;" I said: "Yes;" he said: "We have got a pretty good combination there;" says I: "I saw those appropriation bills re-committed;" and I asked him—I think we got to talking about the capital—about south Dakota, about the capital, and I told Mr. DeWoody I was surprised to see the position he had taken, living south of the 46th parallel, he ought to stand by south Dakota; I was interested in this matter, and would like to see him come into line with the rest of the boys.

Q. And what reply did he make to that?

A. Well, he said as far as that question was concerned, he never had taken any active part, or something of that kind.

Q. Was that all the conversation?

A. It was very short, just a minute; Mr. Eldredge was there and walking along, and it was probably a minute.

Q. Did you ever have conversation with him on the subject?

A. No, sir; I might have had; have no remembrance of it now. I know I talked with a good many parties from south Dakota—south of the 46th parallel—regarding some matters I was interested in.

Q. What room did Mr. Wells have in the hotel?

A. I think it was No. 44.

Q. Did you ever introduce Mr. DeWoody to Mr. Wells?

A. I never did.

Q. Never did?

A. No, sir.

Q. Did you ever tell him Mr. Wells wanted to see him?

A. I do not think I ever did; I have no remembrance of it; I will state right here that refreshes my memory; at the same time we had the conversation on the corner, I told Mr. DeWoody: "You had better come into line and come with south Dakota, see, the Sixth District members, they can do you some good," or something of that kind.

Q. You told him he had better see some Sixth District boys?

A. Yes, sir; I referred to Mr. Blahemore, Mr. Pickler, Mr. Miller, Mr. Pierce and Mr. Westover; they are from the Sixth District; they could make it an object to him, and do him some good.

Q. Well, that was on this Ordway institution, was it?

A. That is what he referred to. I had no objection to it at any time.

Q. Did you ever tell him that you wanted him to see Mr. Wells?

A. No, sir; I do not have any remembrance of it.

Q. Can you positively say that you did not?

A. Yes, sir; I think I could.

Q. Can you say positively that you never introduced him to Mr. Wells?

A. I can.

Q. Did you ever see him in room forty-four?

A. I never did that I remember of.

Q. Can you say positively whether you ever saw him in forty-four or not?

A. Well, I do not think I ever did. I do not think I ever saw him there.

Q. Do you remember of meeting Mr. DeWoody and having any conversation with him at the head of the stairs of this building?

A. No, sir; I do not. I do not remember having any conversation with him.

Q. Do you remember of being there last Tuesday, Wednesday or Thursday night, and seeing DeWoody in one of the corridors, when in room forty-four, or any room in which Mr. Wells was?

A. I have often seen Mr. DeWoody in room thirty-nine, Mr. Blakemore's room; I might have went in there with him; I have no remembrance.

Q. Did you meet him in the corridor of this hotel and go with him to this house in which Mr. Wells was?

A. I don't think I did.

Q. Do you know whether you did or not?

A. I am not quite positive that I did; of course, I was in the corridors, there is always a great crowd, especially in the evening, and I know most of the gentlemen from South Dakota.

Q. You say that you can not say positive that you did not?

A. Mr. Wells might have been in thirty-nine.

Q. Have you ever gone into the room when Mr. Wells was in there alone?

A. No, sir; I never did.

Q. Did you ever at Merchants' hotel in this city, have any conversation with Mr. DeWoody in which you told him that you wanted him to go with you and see Mr. Wells, and do business?

A. No, sir; I never did.

Q. Have you at any time had any conversation with Mr. DeWoody's action on this bill?

A. I think I have; I think he would be included; we have talked over all the southern members regarding this regarding this capital removal. I think it is probable I have had; I am not quite sure I have had; I told Mr. Wells I thought Mr. DeWoody would never vote for capital removal; that was my judgment about it.

Q. Did you ever have any conversation with him in which the word money was mentioned?

A. I never did.

Q. Never did?

A. No, sir.

Q. Do you know any thing whatever with regard to whether the money was to be used by any one to purchase real estate?

A. I do not, sir.

Q. Nor in legislation on this bill?

A. No, sir; I do not.

Q. Do you know nothing of that whatever?

A. No, sir; I do not.

Mr. Steele.

Q. I ask you, Mr. Prentice, if you told me you had so much stuff here, and told me how much?

A. No, sir; I never told you any such thing, Mr. Steele.

Q. I meant about the lots.

A. No, sir.

Mr. Melville.

Q. Do you know of any money having been placed in any person's hands for uses contingent on how persons might vote on this bill?

A. No, sir; I do not.

Q. Nothing of that whatever?

A. No, sir.

Q. Did you ever make a remark to Mr. DeWoody about the fellows of the seventh district playing it pretty fine?

A. Never did.

Q. About playing big stakes?

A. No, sir; I am not quite certain; I am not in the habit of talking in that way to any man.

Mr. Steele.

Q. I understand you to say that you did not introduce Mr. DeWoody to Mr. Wells; that you did not introduce him to Mr. Wells?

A. Well, I am very sure that I never did; I will say that Mr. DeWoody is a man I have no confidence in whatever; I had no confidence in him in any sense of the word; he was not a man; I do not associate with, nor a man I ever cultivate, because I had no confidence in him.

Q. Did you ever take him and walk down the isle towards 44, and he leave you and go into 44?

A. I said I had no remembrance of any such thing; Mr. DeWoody was in 39 with the Appropriation committee.

Q. The question was asked you differently: whether you did take DeWoody into room 44, or whether you took him in there and left him with Mr. Wells. Now I ask you if you took him to room 44.

A. No, sir; I never did.

Mr. Blakemore—Did you, between the hours of eleven and twelve, Thursday night, go with Mr. DeWoody in 39 and leave him and Mr. Wells together?

A. I never did.

Mr. Ball—Or any other room?

A. Or any other room.

Mr. Steele—I understood you to say, Mr. Prentice, you never offered any man any money capital bill in regard to influencing legislation; no money?

A. I never did.

Q. Directly or indirectly; I do not confine this to members of the legislature, but to anybody.

A. Well, I think I can say that.

Mr. Ball.

Q. Did you ever leave Mr. DeWoody and Mr. Wells together with the remark to either one of them, it may have been, "Mr. DeWoody, this is Mr. Wells," or "Mr. Wells, this is Mr. DeWoody, you can talk business with him."

A. Never; not there or any place.

Mr. Wells testifies as follows:

Mr. Ball.

Q. Where do you live, Mr. Wells?

A. At Pierre.

Q. How long have you been in Bismarck?

A. I think I came three or four days after the session begun; I do not know just what date it was.

Q. Have you considerable interest in property in Pierre?

A. Very little; I am not connected with any corporation doing business there; I am the manager of a land association.

Q. What association?

A. Land association.

Q. Since you have been in Bismarck you had occasion to take some interest in this, and possibly do some work on this capital removal bill?

A. I have not done much; I have tried to.

Q. Do you know Mr. Prentice?

A. Yes, sir.

Q. He came here with you, did he not?

A. Yes, sir.

Q. Have you been working together in this matter?

A. Not all the time.

Q. Then each one goes on his own hook on purpose?

A. Yes, sir.

Q. Do you know Mr. DeWoody?

A. I know him by sight, and met him perhaps half a dozen times.

Q. Do you remember where you first met him?

A. In thirty-nine, I think; in Mr. Blakemere's room.

Q. Who, if any one, were sitting in there alone?

A. No, sir; I think some of the members. I did not know which were there.

Q. Were you introduced to him at that time?

A. I think the second or third time I seen him I was introduced.

Q. Who?

A. I do not remember; I have not charged my mind?

Q. Did you ever have conversations at any time in regard to this capital removal?

A. Yes, sir.

Q. Where did you first have such conversation?

A. I think the first time at ———

Q. Who else was there?

A. I do not know whether any one else came in or not, but they dropped out and we sat a few moments.

Q. What was the substance of that conversation?

A. Some general matters; he asked me if I was from Pierre, and something of general acquaintances.

Q. Do you remember any occasion on which Mr. DeWoody and Mr. Prentice came?

A. No, sir.

Q. Did they ever come together?

A. Not that I remember.

Q. You can not state postively?

A. No, sir; I did not think any thing about them. If it was anything that impressed my mind, I should remember.

The special investigating committee convened at 10:20 a. m., March 5, 1885, with all the members present.

J. O. B. Scobey testified as follows:

Q. Do you know Representative Pierce?

A. I do.

Q. And L. G. Johnson?

A. Yes, sir.

Q. And Representative DeWoody?

A. Yes, sir.

Q. Do you know where DeWoody rooms?

A. Yes, sir; he rooms on front side, on main business street running east and west.

Q. Were you in his rooms at any time inside this week, give the day.

A. Day before yesterday I was.

Q. Did he.

A. Yes.

Q. I which room were you?

A. In both rooms.

Q. Were you in one room when Mr. Pierce and Mr. DeWoody were alone in another room.

A. Yes, sir.

Q. About what time was that?

A. Well, I believe it was about 10:30.

Q. What day?

A. Last Tuesday.

Q. Which room were you in?

A. I was in the back room.

Q. Who else was there with you?

A. L. G. Johnson.

Q. What is the means of communication between the rooms?

A. Folding doors.

Q. What was their condition?

A. They were closed.

Q. Tell whether or not there was any means by which you could see in the other room.

A. Well, my attention was called to an opening in the bottom of the door, cut with a knife where the doors join—in the crack in addition the hole had been cut.

Q. Could you see through out into the other room?

A. Yes.

Q. How about hearing what was said?

A. I presume it could be done. I can not tell every observation there.

Q. I ask whether you could hear much conversation or not. Did you hear much conversation of Representative Pierce and DeWoody?

A. I heard a few words distinctly—words, that was all.

Q. Did you hear anything in regard to money?

A. I do not think I heard the word money matters mentioned.

Q. Did you remember anything about the word passing between them?

A. The first word Mr. DeWoody said,—I cannot recollect his language, my impression is now that "I will take this myself," or something of that sort; that was the first words I remember.

Q. Did you understand anything of the reply to them?

A. Well, the reply was made—I won't be willing to swear what it was; it was about ———. I was in position to be sure.

Q. Did you hear in regard to the purpose for which that sum was received?

A. No, sir; I did not.

Q. Did you see what transpired?

A. My attention was called as Mr. Pierce came into the room.

Q. You saw Mr. Pierce in the room?

A. I saw Mr. Pierce in the room.

Q. State what you saw and transpired between them.

A. Well, my attention was called to his being there; I saw Mr. Pierce step up to the table, he had in his had some kind of a package which appeared to be enclosed in a newspaper.

Q. What became of that package?

A. I cannot say whether it was laid on the table or handed to Mr. De Woody.

Q. Do you know whether Mr. DeWoody took it?

A. It was in DeWoody's hands directly between; I can not say that he took it or not.

Q. State whether it was in his hands, and Mr. DeWoody made the expression: "I will take this myself."

A. Yes, sir.

Q. What transpired afterwards that you saw the next thing?

A. Do not think I saw anything more transpire.

Q. How long afterwards did Mr. Pierce go out?

A. Soon.

Q. Did you hear Mr. Wells' name mentioned there?

A. Yes, I did; I heard Mr. Pierce mention Mr. Wells' name, but the conversation was indistinct, but I heard his name mentioned.

Q. You said, I think, that it was very soon he went out?

A. Immediately.

Q Immediately after Mr. Pierce left what did you do?

A. Mr. DeWoody came to the door and it was opened.

Q. Then what?

A. He had in his hands some money, I do not know how much, and he stepped to the table and enclosed it in a package and some writing.

Q. Did he and Mr. Johnson both write on it?

A. Yes; he stepped up and endorsed his name, deputy sheriff of Burleigh county.

Q. What was written previously?

A. I did not see it exactly.

Mr. Melville.

Q. Mr. Scobey, describe the door between the rooms.

A. They are double doors—folding, I think.

Q. State where they come together there is any break or any opening of the shiplap.

A. I think there is in the lap.

Q. Your attention is called to that.

A. My judgment is the lap at or near the bottom expands, and when used to see a notch has been cut into the lap.

Q. How far is that from the bottom?

A. My recollection is that it is a foot, or something of that kind; in the condition of the door it was necessary.

Q. In your judgement about a foot to see into the other room?

A. Yes, sir.

Q. About how large is that hole?

A. I can not say how large.

Q. You may state your position while looking through this aperture.

A. I did not look through.

Q. You may state how you looked through into the other room.

A. My attention was called by Mr. Johnson; I think, as to what was transpiring in the other room, and wanted me to look in, and I placed my eye to the key hole; the door was unlocked; it was not locked that night.

Q. You saw through the key hole while Johnson was on the floor looking through?

A. Yes, sir.

Q. You have stated substantially all you know?

A. Yes, sir.

Q. And all you saw? You may state how you came to be at the rooms.

A. Well, it was accidental; I was calling upon Mr. DeWoody; I went into his front room and passed a few words and stepped into the back room.

Q. Your attention was called to the manner you have indicated?

A. Yes, sir.

Q. State whether you was invited on that occasion.

A. The call was casual; Mr. DeWoody did not know I was coming, and I went to call upon Mr. DeWoody in reference to an entirely different matter.

Mr. Blakemore.

Q. You say you did not hear money mentioned?

A. No, sir.

Q. Did you see Mr. Pierce have any money there? Didn't you see Mr. Pierce having money?

A. No, sir.

Q. You can not swear that Mr. Pierce gave Mr. DeWoody money?

A. I won't swear that what I saw Mr. Pierce have in his hands was money.

Mr. Steele.

Q. You do say money and wrapped up in a newspaper?

A. When I say money—

Q. Did you see any paper lying around?.

A. I can not say, Mr. Steele.

Q. Did you see a package in his hands, and immediately after Mr. DeWoody say, "I will take that myself?"

A. Yes, sir.

Mr. Ball.

Q. You did not see the process of opening?

A. No, sir. This transpired instantly; it did not exceed two minutes; perhaps not so long as this thing was going on.

Q. Did you hear the word Pierre mentioned?

A. No, I do not think I did.

Governor Gilbert A. Pierce was sworn and testified as follows:

Mr. Ball.

Q. Governor Pierce, have you a package with you delivered to you by Mr. DeWoody?

A. Yes, sir. I have a package here that I suppose is the same one, and it has been out of my hands since received. It has the appearance of being the same—here it is.

Q. When was that delivered to you, Governor?

A. Let us see—Tuesday. I think it was Tuesday afternoon; Tuesday I believe.

Q. Who was present at the time it was delivered. Who was in company with Mr. DeWoody?

A. I do not remember that anybody was with him at the time. This is the package.

Q. You have it there?

A. Yes, sir.

Q. Allow me to take it, (handing the package).

Q. Mr. Johnson and Mr. DeWoody, look at that package.

A. By DeWoody—That is the package I handed the Governor.

Mr. Ball.

Q. In the same condition?

A. (Examining it.) I think it is; yes, sir.

Q. (To Johnson.) Were you present at the time it was delivered to the Governor?

A. No, sir.

Q. Is that the package you referred to in your testimony?

A. Yes, sir.

Q. In that same condition it left your presence?

A. Yes, sir: it is in the same condition. Mr. DeWoody sealed it in my presence and Mr. Scobey wrote his name there, and my name there, (pointing to the names).

Mr. Ball.

Q. Governor, with your consent, it will be opened, (pointing to package;) (Package opened by the chairman). The money was shown and counted by the chairman, making about $480 in one package, and $500 in the other package. One package was marked as follows: "500, 16, 85," and the other, thus: "500, 2, 16."

Mr. Melville to the Governor.—Was this money under your control while out of your possession?

A. No, sir.

Q. State what was done with the money.

A. Mr. DeWoody handed it and asked me if I would keep this package. I supposed it to be a package of money he handed to me, and I told Paul to put it into the vault. When Mr. Holt came in, something was said about it and he said that the vault was rather an improper place to keep it, nothing but the floor to lay it on. He put it in the safe until evening. I told Mr. Holt to take the package. I do not know what bank he put it in, or anything about it.

NOTE.—Mr. Steele moved that the money be put into an envelope and then put in another envelope and the chairman to take charge of it until the bank officers came before the committee, which was carried.

BISMARCK, Friday, March 7, 1885.

Committee convened at the Capitol building at 10:30 A. M. George W. Pierce sworn, says:

Mr. Ball.

Q. What are your initials?

A. G. W. Pierce.

Q. You are a member of the House of Representatives?

A. Yes, sir.

Q. Do you know Mr. DeWoody, a member of the House of Representatives?

A. Yes, sir; some slight acquaintance with him, probably as little as any member in the House.

Q. Do you know Mr. L. G. Johnson?

A. Somewhat acquainted; not a great deal; I could not swear I know his given name.

Q. Do you know Mr. Wells, of Pierre, and the Mr. Prentice?

A. Yes, sir.

Q. Do you know where Mr. DeWoody rooms?

A. Well, I could not swear positively; I was in his room Tuesday, at about half-past 10 o'clock.

Q. Tuesday last?

Mr. Melville.

A. Yes, sir; I was in probably one minute.

Q. What was the occasion of your visit there at the time?

A. Well, Dr. Ware, that is the name, came to room thirty-nine; the members of the Council of the sixth and seventh districts held a meeting there pertaining to Cameron and Codington county, something I am interested in, and came at the request of Mr. DeWoody; I took a carriage and came up past where Mr. DeWoody stopped; Mr. DeWoody wanted me to stop and ride up together; I said this capital bill is coming up and I can't bother to stop with anybody, I will see if I can stop in a minute, if so, I will do so, he went away, and came back again, I think, in a quarter of an hour and said, "Can you go; are you ready to go up there? I can go right away." I stood in the doorway and whispered to Westover and Day, members of the committee, and says I, "You see that my interest on this county matter does not suffer, I must go up to the capitol," and then went down stairs; the Doctor says by his watch it is half-past ten; I said, "It is high time; I wish we was there and started," and went down stairs and got into the carriage and stopped at the place near the furniture store, I do not know whose place it is; he says, "That is the place," and jumped out and stepped in, and Mr. DeWoody was in the front room; the curtain was up on the street there; I was in there probably one moment.

I says, "The capital bill is coming up, and it is time I was up there. I said, "Come on, if you are coming up with me, there is no time to loose." I started out to the carriage; I supposed he was following me, but he did not come at once. I asked him something; I don't remember the exact words: "Dr. Ware said he wanted me to stop with you and go up; this capital matter is coming up, and we want to be getting up there"—some few words; I couldn't say exactly what was said. I said, "Come on;" I supposed he was following me and got into the carriage, and sat there probably a minute; he did not come; I said to Dr. Ware, "We must be going," and jumped out the second time. He was in the hallway; he was coming, and said, "We must be going." I said, "Dr. Ware told you before that Mr. DeWoody wanted you to call for him and all go up together." "Yes," Dr. Ware said, "Mr. DeWoody requested me to come up there."

Q. When you stopped in front you did not send the driver in to notify him that you were ready?

A. No, sir; I did not say anything to the driver.

Q. You say something was said about the capital removal?

A. I had no time to bother and stop to wait.

Q. Was Mr. Wells' name mentioned?

A. No, sir; not to my knowledge.

Q. Not by you?

A. No, sir.

Q. Was there any occasion for his name being mentioned?

A. No, sir; not that I know of.

Q. Can you recall the subject matter in the conversation?

A. No, sir; there was no occasion; his name was not used at all.

Q. Did you while in there on that occasion give anything to Mr. DeWoody?

A. No, sir; I did not.

Q. Have no package at all, of any kind?

A. No, sir.

Q. Did you hear any remark made by Mr. DeWoody in reference to his keeping anything, nothing of that kind?

A. No, sir.

Q. Do you know Mr. Scobey?

A. I have known him for a number of years.

Q. You have heard of the connection your name has been mentioned in this matter?

A. Yes, sir.

Q. Have you had any talks in reference to that with Mr. Scobey?

A. Yes, sir.

Q. One or two, have you not?

A. I think Mr. Scobey came to me once or twice.

Q. The one occasion for this inquiry was commenced at the Sheridan House, was it not?

A. I think that was the place; would not swear positive that he spoke to me prior to this occasion that you have referred to on Tuesday.

Q. Were you ever in that same room before?

A. No, sir.

Q. Not in there at all on Sunday?

A. No, sir.

Q. Then of course you held no conversation with reference to this matter on Sunday?

A. No, sir; none whatever. I was in my room at the Sheridan House all day Sunday, and pretty near on the sick list, and saw Mr. Melville on Sunday once or twice on the floor of the Sheridan House.

Q. How far is this place from the Sheridan blocks and parts of blocks?

A. I could not say just how far it is; possibly a block.

Q. Mr. Pierce, did you not state in the course of conversation with Mr. Scobey there since the investigation commenced that you delivered a package to Mr. DeWoody?

A. No, sir; to no living soul—Never!

Q. As a matter of fact, did you deliver any package of any kind to Mr. DeWoody?

A. No, sir; I never had any package to deliver to anybody.

Q. Do you know whatever of the use of any money, directly or indirectly, to influence legislation in this Capitol removal?

A. No, sir; no man living offered me money, myself or to pay to any one.

Q. Had you a conversation with Mr. Wells with reference to this matter?

A. His room is near mine in the Sheridan, and members of the Districts have been very social together. Mr. Wells never asked me to vote for the Capitol business.

Q. You say you have talked with him in reference to it there?

A. Socially; we have talked nothing of account, whatever.

Q. Did you ever have conversation with him on matters of money, directly or indirectly, whatever?

A. None whatever.

Mr. Melville.

Q. Mr. Pierce, did Mr. Wells, at any time, deliver to you any money to be delivered to Mr. DeWoody, or anybody else?

A. No, sir; he never did.

Q. Did you ever, directly or indirectly, receive from him, or get from his room, or any other place, any money since you have been in Bismarck, for the purpose of delivering it to Mr. DeWoody or any other purpose?

A. No, sir; most emphatically.

Q. Did you ever at any time or place make any arrangements with Mr. Woody whereby you were to deliver to him money, package, or any thing of any kind?

A. No, sir; never made any arrangements with Mr. DeWoody, and had but very little acquaintance with him.

Q. You may state whether you, in a general way, have talked with Mr. DeWoody in reference to the Capital question.

A. Well, sir; I have talked very little, probably as little as any man in the House.

Q. You may state on the morning of Tuesday last, whether Mr. DeWoody and you had any conversation when you went into his room.

A. No, sir; I did not.

Q. You may state whether you went to that room for any other reason than because you were summoned by Dr. Ware.

A. No, sir; I really went there under protest at any time.

Q. Did you know what Mr. DeWoody wanted of you?

A. No, sir; I have no idea.

Q. Did you make no arrangements with Mr. DeWoody whereby you was to see Mr. Wells and get money or checks for him?

A. No, sir; I never did.

Q. Did you ever have any talk with him in which you said Mr. Wells would put up money in the hands of any person for any purpose?

A. No, sir; none whatever.

Q. You may state what hour did you leave the Sheridan House on Sunday afternoon, if you left it at all.

A. Well, as well as I remember, Charlie Crouch was talking to me some time during the afternoon and wanted I should go up and see Mr. Day about Spink county. I told him the boys' wishes in the county would be my wishes. I did not wish to interfere with county seat matters, but I would see Mr. Day some time in the afternoon. Mr. Crouch suggested I should go up about half past three, but I told him I had letters to write and did not want to go up and preferred to talk with Mr. Day himself, and say what he preferred in the matter without any influence.

Q. Well, as a fact, did you come up that afternoon?

A. I did,

Q. What hour?

A. As near as I remember, about half-past 4 or 5 o'clock; I don't remember distinctly.

Q. On the way did you see anything of Mr. DeWoody?

A. I did.

Q. And where did you see him?

A. I think I met him at the foot of the stairs at the Sheridan House.

Q. State whether he accompanied you to Mr. Day's room.

A. I met him there on the stairs; we walked up some ways together; I think we went up past the new hotel that is not opened, I could not say where on that street, and talked over various things, and some little about the capital matter, and told him the seventh district, and our district, and others ought to pull together, and no particular conversation, and came back, and I went to Mr. Day's room.

Q. Where did you leave him?

A. On the street; I went up to Mr. Day's.

Q. You say at no time did you ever have conversation in reference to any consideration for his vote in any manner?

A. No, sir; his or anybody else.

Q. State whether on that morning you had anything in your hand when you went in.

A. No, sir; I might have had a newspaper in my hand; I would not swear.

Q. You had no package?

A. No, sir; I did not.

Mr. Ball.

Q. On this Sunday afternoon about how far did you walk with Mr. DeWoody on the street?

A. Possibly a couple of blocks; I could notswear.

Q. A couple of blocks and returned?

A. Yes; we came down together, I turned and went up the street to Mr. Day's.

Q. Is Mr. Day's room or place on this same street where Mr. DeWoody's room is?

A. West of the Methodist church.

Q. In this walk did you go by Mr. DeWoody's room? You spoke of going by the new hotel, the Lamborn House, and it is on corner 6th and Main street.

A. I think we went by that.

Q. On Main street?

A. I think it is the Main street; we went up east.

Q. And you walked from the Sheridan House up Main street?

A. Yes.

Q. As a matter of fact, is Mr. DeWoody's room in the block west of that hotel?

A. Yes, sir; I think it is; I could not swear to that.

Q. That was on Tuesday?

A. Yes, on Tuesday.

Q. And as near as you can fix the time between 4 and 5 o'clock?

A. No, I can not swear exactly to the time; I did not look at it.

Q. On your return how far west did you come with Mr. DeWoody back toward the Sheridan House?

A. I cannot remember which block we turned on; I could not swear which one.

Q. You said something about Mr. Crouch I wish to connect.

A. Mr. Crouch and Mr. Ellis were talking to me about their Spink county matter, and wanted me to see Mr. Day and talk with him and see which place he preferred, Ashfield or Redfield. I wanted to keep out and let Mr. Day run his own county matter.

Q. You started to see Mr. Day; was he gone, and you went out with Mr. DeWoody at the time?

A. Yes, I think I met him at the foot of the stairs; Mr. Crouch urged me to see Mr. Day.

Q. That was in your room?

A. Yes, sir; in thirty-nine.

Q. I understand you have had no convevsation with Mr. Scobey since this inquiry began, as you have stated or words to that effect, that on this Tuesday morning in Mr. DeWoody's room; I refer to this particular conversation; you never said to him you ever delivered any package of any kind to Mr. DeWoody?

A. No, sir.

Dr. M. Ware sworn and testifies as follows:

Mr. Ball.

Q. Where do you live?

A. I live in Salem, McCook county, Dakota.

Q. How long have you been in Bismarck?

A. I came here the 29th day of January, I think.

Q. Do you know Geo. W. Pierce, member of the House of Representatives?

A. Well only since I came here.

Q. Did you ride up to the capitol on Tuesday of this week?

A. I did.

Q. Where did you start from?

A. We started from the Sheridan House.

Q. Did you stop on the road?

A. Yes, sir.

Q. Did Mr. Pierce go with you?

A. Yes, sir; he did.

Q. At your request?

A. Not at my request.

Q. How was that request? How did you get him into the hack?

A. I told him Mr. DeWoody had asked me to engage a hack and go with him to his room and we could go up to the Capitol together.

Q. From the Sheridan House where did you go with the hack?

A. We went a block or two; I am not positive; it is right across by the Lamborn House.

Q. What transpired when you stopped at that place?

A. I remarked to Mr. Pierce: "You had better go in there and call him," so he did.

Q. What time was he in?

A. About long enough to go into the house and say to a man that it was time to go. No time for lengthy conversation.

Q. Did he come alone?

A. He came alone.

Q. What did he do?

A. He sat there and waited, talking of Codington county matters, probably eight or ten minutes. I then said: "I don't believe that man is coming out; go and call him again," and he got out and went into the house.

Q. How long?

A. He did not get out of sight; Mr. DeWoody then joined him and they got into the hack together and we drove on. That comprises my entire knowledge of the matter that took place that morning connected with our ride up there.

Mr. Melville.

Q. Dr., I wish you would detail more specifically from the time he came to you till the time you left Mr. DeWoody's place and started to the Capitol, Mr. DeWoody's conversation at the time he requested you to do this.

A. I had just started to go and see Mr. Westover, and just as I started on the matter, at the stairs Mr, DeWoody spoke to me and says: "Say to Mr. Pierce that I want him to take a hack with you so we can go up together, but I have some writing to do and will then go right off. He offered me some money, perhaps fifty cents or a dollar to pay for the hack. I simply remarked that I had money enough to pay for a hack if I wanted it. Up stairs I found Mr. Pierce in room thirty-nine. I told him what I was to say. Mr. DeWoody wanted me to take a hack and go up to the Capitol. Mr. Pierce answered and said as I stated it in this matter. He says: "I do not know that I can do it; I am busy here with a county matter." I says: "I have done my errand." I started to walk off, and he says: "How long will it take? Say it will take fifteen or twenty minutes; I will wait for you if you take that length of time." I went out and gave directions to the driver. We stopped. I told Mr. Pierce he had better go in and call. I could not fix the time he remained in. By a circumstance I can fix it.

Q. Give that circumstance.

A. When the driver got down and came to let us out, his dog jumped from the boot where he had been sitting, and he motioned to the dog to go back, and instead of jumping back he jumped into the hack where I was. He sat in front of me; I sat on the back seat. Says I to the driver: "Take the d—n thing out of here." He reached in and took his fore legs to take him out and put him into the boot. That's about the time I made of it.

Q. How long did it take the driver to do that?

A. A very short time. I should think a couple of minutes, not longer.

Q. What conversation was you and Pierce engaged in while riding from the Sheridan House?

A. He talked about Codington county matters.

Q. What course did the conversation take?

A. We talked about Codington both before and after visiting the room.

Q. I ask you if you visited the rooms of Mr. DeWoody last night?

A. Yes; I guess there were six or seven in the room.

Q. Who was there with you?

A. We found there Mr. Bayard and Swanton and Blakemore.

Q. State whether you examined the joints of the folding door, and made observations; if it was open so anything could get sight of in the front room?

A. We were there on the premises.

Q. State what you saw.

A. Well, the doors were as they came together—they came within half an inch—a kind of shiplap joint; probably eighteen inches from the bottom, there was a little round place cut out through the sitting room door.

Q. About how large?

A. Quarter of an inch, possibly more; Farmer bent down and looked, and I looked through it.

Q. Did you?

A. I did.

Q. You may state who looked through that hole.

A. Four or five looked through the door.

Q. How high was it?

A. As high as the waist of a man.

Q. You could not see as low as the waist of a man?

A. [Showing by hands]. Let me sketch it. You could not see to the right; by looking up you could catch a particular portion of a man; if you moved to the right or to the left, that obscured it.

Q. Could you see a man in more than one specific position?

A. Not last night.

Q. In looking across the room, what would be the limit of vision?

A. Other persons then looked through with me. I should say not more than that much [showing with hands].

Q. That would be on the opposite side of the room, halfway across it would be narrower?

A. Yes, sir; we could just distinguish a person at the end of the table.

Q. Could you recognize a man?

A. He had to adjust himself in one particular place to be recognized.

Q. If he moved up you could not recognize him? Would it be possible for a person to enter the room, and every time he entered the room, and set on the couch opposite and taking various places in the room, and from your place to observe his action?

A. No, sir; if you had a man in one position you could see him, if you could not hear him.

Q. Could you see what a man had in his hand at the table?

A. No; because I could not see anything on the table.

Q. So that a person sitting at the table then, could not see what he held in his hands?

A. No; the limit of vision was just to one place. I will illustrate that if I can [Illustrates]. Now, to let this represent the door, referring to the side as you go in, the door is cut to fit in and the other would shut in like that; one was cut out, about an inch, this is part of the door, the edge of the door would prevent you from seeing [illustrating] that side; if you moved this side of the door prevented you.

Mr. Johnson.

Q. You state they looked from the door open in that shape?

A. No, sir; the lap covers the space; the joint fit entirely this way, because it just hung in enough to come by the other lap, there is a little space.

Mr. Mellville.

Q. Well, if it were not for the hole you could not get any view into the sitting room?

A. No, sir.

Q. I would ask you from your observation made, what the line of vision would be four feet from that door?

A. It would be very limited.

Q. Estimate it.

A. Well, just estimating without measurement, I would say a man would not see over two feet; I do not think he could see three.

Mr. Steele.

Q. Doctor, you stated that hole was at least one-fourth of an inch in bigness, how far back was you from the door when you looked?

A. I was close to it; I got as close as I could.

Mr. Blakemore.

Q. Is that cut in with sharp angles, or rounded?

A. Rounded, to the best of my recollection.

Mr. Melville.

Q. So that if it had been cut in an angle it would be more open?

A. Yes, sir.

Mr. Ball.

Q. What is the thickness of that lap?

A. I should estimate probably from half to three-fourths of an inch. I merely judge that.

Q. Now one portion with reference to seeing through the keyhole. How about that, too?

A. Yes, we looked through the key hole. It was more limited through the key hole than through the hole.

Q. What did you see through the key hole?

A. The range of vision was limited more than by looking below.

Mr. Blakemore.

Q. Do you think it is possible for two men to occupy positions and one look through the hole and one through the key hole and both see what was transpiring in the room?

A. Yes, sir; I think it could.

Mr. Melville.

Q. Providing they were within in the limit of vision?

A. Yes, sir.

Q. Would not the looking through a key hole drop the line of vision.

A. Yes, sir.

Mr. Ball.

Q. You may state whether in your opinion, might a man see what a man had in his hands sitting at the table, or how would that be?

A. Well, if the range of vision of the man's hands came within it, of course you could see.

Objected to by Mr. Melville.

Objection overruled.

Mr. Ball.

Q. Doctor, prior to your going over there on Tuesday morning, did you have some conversation with Mr. DeWoody except what you have detailed?

A. Not that I remember of. I don't remember I had any conversation but that.

Q. In that conversation was there any more than you have detailed?

A. Not that I recollect.

Q. Was there anything said in regard to money or anything of that kind?

A. Nothing was said but about hack fare, what he offered me for the hack. I did not count it, I judge fifty cents or a dollar.

Q. Doctor, do you know anything, whatever, in regard to the use of money, directly or indirectly, to influence legislation here?

Objected to by Mr. Melville unless it refers to Mr. Prentice and Wells under this resolution, which objection was sustained.

Mr. Wells testified as follows:

Mr. Ball.

Q. Mr. Wells, in your previous testimony given before the committee previously, you had occasion to state that you had used no money except for payment of board bills and attorneys' fees, etc.

A. Yes, sir.

Q. How much money have you used in the payment of board bills?

A. One hundred and forty dollars.

Q. And attorney fees?

A. I think about fifty dollars.

Mr. Steele.

Q. How much board, Mr. Wells?

A. One hundred and forty dollars at the Sheridan.

Mr. Ball.

Q. You refer to your own or friends?

A. My own. I have paid no board except for one man who was here a couple of weeks, I paid for.

Q. Mr. Wells, what amount of money did you bring here when you came here?

A. Three of us came; we received a telegram and started before the bank was open. I think I had a draft and seventy-five dollars. I got the draft cashed.

Q. What date when you came here?

A. We left on Monday.

Q. Give the day of the session.

A. We got here Monday before the session.

Q. Have you had occasion to draw money since?

A. No, sir.

Q. Have you received any large sums of money since?

A. Yes, sir; I received one thousand dollars from Mandan. I telegraphed that we had got out of money and that they had better send some on the Dakota Bank. I said we got money at Mandan; I think about one thousand dollars.

Q. In packages?

A. No, sir; some gold and some bills. My recollection is about two hundred dollars gold and about five hundred dollars. After I received it I made a draft for that money on the Dakota Central Bank.

Q. Have you received or know of others receiving money for you in which you were directly or indirectly interested, from the Fargo Banks?

A. No, sir; I gave McNamara, who stayed three weeks, I gave him two hundred and fifty dollars, and I gave it out of the money I received from Mandan.

Mr. Ward.

Q. Wells, did you become acquainted with a man by the name of Dillon?

A. Yes, sir; I met him, that is all; he has a brother.

Q. Did you have a conversation with him to retain him?

A. No, sir.

Q. Any offer to influence him or members of the Third District?

A. No, sir; I never had but a casual conversation at the hotel, and but very slight acquaintance.

Mr. Steele.

Q. Mr. Wells, do you know of anybody receiving any money from Fargo parties while in Fargo?

A. I do not, while in Fargo. I have no acquaintances in Fargo; never was there before.

Mr. Melville.

Q. You may state if it was to retain.

A. It was.

Q. Out of this thousand dollars; two hundred and fifty dollars were paid to McNamara?

A. It was; whatever my expenses have been, too; I also lent Mr. Prentice two hundred dollars.

Q. When did McNamara leave for Washington?

A. Left four weeks ago.

At this point a motion was made and carried that the committee examine Mr. DeWoody's rooms at 12:30 o'clock. The committee adjourned to 1 o'clock P. M.

Committee convened at 2:15 P. M.

Mr. Pierce recalled.

Mr. Ball.

Q. Referring to a conversation which took place between you and Mr. Scobey concerning the investigation which is now in progress, and the facts which are being investigated, did you, in the course of that conversation make any statement as to what you might or could testify to?

A. No, sir; I did not.

Q. Did you make any statements in form like this: "Suppose I should testify that I found a package and took it from there?"

A. No, sir; no such conversation.

Q. Did you make any such statement of that purport concerning this matter?

A. No, sir; nothing of the kind.

Q. In no conversation?

A. No, sir.

Mr. Scobey being recalled.

Mr. Ball.

Q. Mr. Scobey, I ask you whether or not you have had a conversation, one or more, with Geo. W. Pierce in regard to the subject matter of this investigation since it commenced?

A. Yes, I have had one or two conversations with him.

Q. A day or two after this investigation commenced this week?

A. Yes, sir.

Q. Mr. Scobey, how did that conversation come about?

A. I went to Mr. Pierce after this investigation was instituted and talked with him about the matter, and his name being mentioned, and I talked with him and asked him about it; I told him substantially what I told you before, and how I was pained to see it.

Q. Did he deny it?

A. Yes, sir; Mr. Pierce denied the circumstances to me at all times, as you see. I related to him substantially what I had seen while I was there.

Q. That he denied?

A. Yes, that he denied.

Q. Did the conversation continue?

A. Yes, sir; we had quite a talk.

Q. What was your purpose in the conversation?

Objected to by Melville.

Objection overruled.

Q. What was your purpose in that conversation?

A. Well, my purpose in going to Mr. Pierce was a friendly purpose, being a friend of his and I went and talked the matter over with him.

Q. To advise with him?

A. No; I went to Pierce as I said, being a friend of his, to simply say to him what I had directly been forced into seeing, and with only one purpose in my mind, and suggested to him, I believe, in view of some rumors I heard was going to be covered up by some evidence. The only thing Mr. Pierce could do in the matter was to make a full statement and give my evidence, which was true and correct.

Q. Was that purpose expressed in your conversation with him?

A. I don't remember the exact words of our conversation, but that was my purpose. The air was full of rumors that this was going to be covered up by certain kind of evidence in view of the fact that I gave evidence and went to suggest to him that my evidence would have to be so and so, and it was much better we should make a fair statement of all that matter. It was not just to place his friends in that position and I would testify to what I have seen.

Q. Now, after that talk with him, what did he say, if anything, in regard to a suspicious piece of testimony which might be given by him in regard to a package?

A. Well, the only recollection I have of any conversation of a suspicious piece of evidence, I asked this question, I think it was about in this form: "Suppose that I should testify or the evidence should be that I found a package here in a certain room and took it from there, (of course referring to the place where this is alleged to have taken place) and delivered it without knowing what it was; what position would that put the matter in?" That is about the substance.

Q. What reply?

A. He replied that of course (without questioning my evidence) I saw him with a package in his hand, and I suggested to him that in all probability (unless he desired to further question the manner in which he came in possession of that package) it would make a very bad case for him.

Q. That was your reply, that it would put him in a bad light.

A. No, sir. My purpose in talking to him was the only sure and straightforward one for him, and I would have said what I had seen. I did not care to have any friend of mine put me in a position where there would be a conflict of testimony, and especially such a man as Mr. Pierce has been. I went to him upon seeing these various rumors circulated. Of course, I did not know there was any foundation for them, and suggested these rumors were in the air and it was not the course to pursue.

Mr. Prentice recalled.

Mr. Ball.

Q. Do you know anything about any money being telegraphed here from Pierre?

A. I do.

Q. Do you know anything about the sum of $1,000 being telegraphed over to Mandan?

A. No, sir.

Q. Do you know anything of money being furnished directly or indirectly for use here in Bismarck in connection with the capital removal scheme through any bank in Bismarck?

A. I do not.

Q. Or any money coming here for any purposes, addressed in care of any such person through the express company?

A. No, sir.

By Chairman.

Q. Did you ever at any time offer money to Mr. Dillon to use his influence with the members of the Third District?

A. I did not.

Q. Any talk of retaining or employing him as attorney for any members in such conversation. You know him?

A. I did not.

Q. Do you know about a package and using three to five hundred dollars?

A. Yes, sir; I remember it. I should know it. I have ———— dollars. I would say Mr. Dillon's brother is my attorney in Pierre. Mr. Dillon drew a bill for me while here.

Q. You did have some talk with him about the Third District, and you say you have no recollection about retaining him; do you say that way or did you have any such conversation?

A. I had no such conversation. I talked with him.

Q. You consider Mr. Dillon a reliable man, do you not?

A. Yes, sir.

Mr. Johnson moved the adoption of the report, which motion prevailed.

MOTIONS AND RESOLUTIONS.

BISMARCK, March 10, 1885.

Mr. Martin introduced the following resolution:

WHEREAS, The Journal of the House shows that certain persons have been absent at different times during the session, and

WHEREAS, It is the opinion of the House that such absences have been caused by sickness, necessary absence from the city, committee work, or other excusable cause, be it

Resolved, That any and all absences appearing upon the record be excused.

Mr. Huntington introduced the following resolution:

WHEREAS, M. H. Jewell, the printer of the Daily Journal of the proceedings af this House, has, because of the recent fire, been unable to furnish said Journals since the 5th inst., therefore, be it

Resolved, That a reasonable length of time be given the printer to furnish said Journals, and that the Chief Clerk of the House be, and is hereby, instructed to forward to each member copies of the Journals remaining unprinted at the close of this session; and also, copies of the bound edition, as soon as they are ready for delivery.

Which resolution was adopted.

COMMITTEE OF THE WHOLE.

Mr. Oliver moved

That the House proceed to the consideration of the General Grders.

Which motion prevailed.

The House then resolved itself into a Committee of the Whole, with Mr. Oliver in the chair.

When the committee rose the following report was made:

MR. SPEAKER:

Your committee of the Whole have considered

Council Bill No. 181,

With the amendment made by the committee on Ways and Means, and recommend the adoption of the amendment and the passage of the bill as amended.

Also,

Council Bill No. 188,

And recommend the bill be indefinitely postponed.

Also,

Council Bill No. 240,

And recommend the passage of the bill as amended.

Also,
Council Bill No. 21,
And recommend the passage of the bill as amended by the committee on Insurance.

Also,
Council Bill No. 195,
And recommend that the bill as amended do pass.

Also,
House Bill No. 313,
And recommend that the bill as amended do pass.

Also,
House Bill No. 312,
And recommend that the bill be indefinitely postponed.

Also,
House Bill No. 306,
And recommend that the same do pass.

Also,
House Bill No. 267,
And recommend the bill do not pass.

Also,
House Bill No. 259,
And recommend that the same do pass.

Also,
Substitute for
Council Bill No. 186,
And recommend that the same do pass.

Also,
House Bill No. 392,
And recommend its indefinite postponement.

Mr. Blakemore called to the chair.
Also,
House Bill No. 271,
And recommend it be ordered reprinted as amended.

JOHN T. BLAKEMORE,
Chairman.

Mr. Smith moved
To adopt the report.

Which motion prevailed.

COMMITTEE OF THE WHOLE.

Mr. Smith moved

The House go into committee of the Whole for the consideration of unfinished business.

Which motion prevailed.

Mr. Smith in the chair.

When the committee rose the chairman made the following report:

MR. SPEAKER:

Your committee have considered
Substitute for
House Bill No. 34,
And recommend that the bill do pass.

H. W. SMITH,
Chairman.

Mr. Miller moved
To adopt the report.

Which motion prevailed.

The Speaker announced his signature to
Council Bills Nos. 233, 155, 219, 278, 39, 99, 102, 234, 277 and 251.

Mr. Williams moved that
Council Bill No. 222
Be referred to committee on Appropriations.

Mr. Gregg moved
That further consideration of
House Bill No. 213
Be indefinitely postponed.

Call of the House demanded.

Mr. Langan moved
To suspend proceedings under the call.

Which motion prevailed, and
The House took a recess for one hour.
After recess
Mr. Martin moved that
House Bill No. 213
Be referred to General Orders.
Which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Barnes introduced—

House Bill No. 402. A bill for an act to amend chapter 17, Special and Private Laws of 1881,

Was read the first time, and
On motion of Mr. Barnes
The rules were suspended

And the bill read the second and third times and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Blakemore, Clark, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Parshall, Runkle, Roach, Ruger, Steele, Stevens, Swanton, Smith, Scott, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, Coe, Dawson, DeWoody, Huntington, Langan, Morgan, McHugh, Oliver, Pickler, Pugh, Riddell, Southwick, Sprague, Stebbins, Stewart, Stong, Van Osdel.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

Mr. McCumber introduced—

House Bill No. 403. A bill for an act to create certain territory now within the school township of Brighton, Richland county, Dakota Territory, as an independent school district No. 1,

Was read the first time, and
On motion of Mr. McCumber
The rules were suspended, and
The bill read the second and third times and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Dawson, Eldredge, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Parshall, Riddell, Roach, Steele, Stevens, Smith, Stebbins, Scott, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Bayard, Coe, DeWoody, Gregg, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Ruger, Southwick, Swanton, Sprague, Stewart, Stong, Van Osdel.

Mr. Huntington being excused.

So the bill passed and its title was agreed to.

Mr. Myron introduced—

House Bill No. 405. A bill for an act to regulate caucusses and primary meetings in this territory,

Was read the first time, and

On motion of Mr. Myron

The rules were suspended, and

The bill read the second and third times and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Huston, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Ward of Brule.

Those who voted in the negative were:

Messrs. Hobart, Oliver, Southwick, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Coe, DeWoody, Eldredge, Huntington, Johnson, Langan, Ruger, Steele, Stewart, Stong.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

Mr. Parshall introduced—

House Bill No. 408. A bill for an act to establish a board of education for the town or city of Alexandria, Harmon county, Dakota Territory,

Was read the first time, and

On motion of Mr. Parshall

The rules were suspended, and

The bill read the second and third times and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pugh, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Huston, Johnson, Miller, McHugh, Pickler, Pierce, Runkle, Ruger, Steele, Stewart, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

Mr. Williams, (by request) introduced—

House Bill No. 409. A bill for an act to vacate a certain portion of the town of Sterling,

Was read the first time, and

On motion of Mr. Williams

The rules were suspended, and

The bill read the second and third times and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Hobart, Helvig, Hutchinson, Larson, Myron, Martin, McCall, McCumber, Parshall, Pickler, Pugh, Riddell, Southwick, Stevens, Swanton, Smith, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Johnson, Langan, Miller, Morgan, McHugh, Oliver, Pierce, Runkle, Roach, Ruger, Steele, Sprague, Stebbins, Stewart, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Huntington introduced—

House Bill No. 407. A bill for an act authorizing school district No. 52, of Duell county, Dakota, to issue bonds to build a school house,

Which was read the first and second times and referred to the committee on Ways and Means.

Mr. Oliver introduced—

House Bill No. 410. A bill for an act to amend section 1,752 of the Civil Code,

Which was read the first and second times, and referred to the committee on Judiciary.

Mr. McHugh introduced—

House Bill No. 404. A bill for an act entitled an act to amend the charter of the village of Minto, Walsh county, Dakota.

Which was read the first and second times and referred to the committee on Towns and Cities.

Mr. Blakemore (by request) introduced—

House Bill No. 406. A bill for an act to provide for the formation of an Educational society in the county of Hyde, and for other purposes,

Which was read the first and second times and referred to the committee on Education.

COMMITTEE OF THE WHOLE.

The House resolved itself into a committee of the Whole for the consideration of the Special Order of the Day, viz.:

Consideration of the Governor's veto of the Capital Removal bill, with

Mr. Huston in the chair.

When the committee rose the following report was submitted:

MR. SPEAKER:

Your committee have considered the message of the Governor vetoing

House Bill No. 7

And refused to recommend to the House

That it pass the bill, the Governor's message to the contrary, notwithstanding.

C. E. HUSTON,
Chairman.

The report was adopted, and the bill

Placed on its final passage.

The roll being called there were 20 votes in the affirmative and 26 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Gregg, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Pugh, Runckle, Roach, Steele, Stevens, Stebbins, Scott, Stewart, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Mr. Ruger.

Mr. Pierce, being excused.

So the bill was lost.

The clerk then proceeded with the reading of the evidence in the bribery case.

Mr. Langan moved
To dispense with the reading of the evidence.

Mr. DeWoody moved
As a substitute motion
That the evidence be filed with the Secretary of the Territory.

Mr. Barnes moved
To amend by having the same printed in the Journal and then filed.

Mr. Miller moved
To have 100 copies printed to supply the members of the House, and that the same be paid for out of the money in the hands of the committee.

Mr. Bayard moved
To reconsider the vote by which
House Bill No. 271
Was ordered printed.

Which motion prevailed.

And the motion to print the bill was lost.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 10, 1885.

MR. SPEAKER:

I transmit herewith
Council Bill No. 203.
Also,
Substitutes for
Council Bills Nos. 210, 221 and 271.

Also,
Council Bills Nos. 287, 289, 294, 295, 303, 305, 315, 316, 322, 323, 324, 325 and 296.

All of which the Council have passed and your concurrence in the same is respectfully requested.

Also,
Council Bill No. 222. A bill for an act to provide for the levy and collection of taxes upon the property of rail road companies in this territory.

Also,

Council Bills Nos. 14, 58, 67 and 69. Bills for an act making appropriations for the maintenance of the charitable, penal and educational institutions of the Territory of Dakota, and for other pnrposes.

I also have the pleasure to inform you that the Council has this day receded from the Council amendment to

House Bill No. 71. A bill for an act granting the right of suffrage to women.

Also,

Substitute for

House Bill No. 47. A bill for an act to amend section 17 of chapter 28 of the Political Code, and for other purposes.

Which the Council has passed without amendment.

Also,

I have the honor to inform you that the Council did, on the 9th inst., approve of the following House Bills, to-wit:

House Bill No. 22. A bill for an act to regulate the change of the names of towns, etc.

Also,

House Bill No. 29. A bill for an act authorizing and empowering the county commissioners of Grant county to liquidate certain taxes.

Also,

House Bill No. 60. A bill for an act establishing the Dakota Territory institution.

Also,

House Bill No. 73. A bill for an act appropriating funds for the construction of a normal school at Minto.

Also,

House Bill No. 90. A bill for an act to amend section 5 of chapter 43 of the Laws of 1883, and for other purposes.

Also,

House Bill No. 285. A bill for an act to repeal chapter 36 of the Session Laws of 1883.

Also,

House Bill No. 300. A bill for an act to amend section 672, Political Code.

Also,

House Bill No. 336. A bill for an act to change the names of Andress Anderson and others.

Also,

House Bill No. 358. A bill for an act to change the name of the township of Blaine.

Also,

House Bill No. 371. A bill for an act to change the name of Walter Jones.

Also,

I have the honor to inform the House that the Council have passed the following House bills:

House Bills Nos. 15, 52, 138, 139, 141, 162, 170, 222. 224, 227, 229 and 233.

Also,

Substitutes for

House Bills Nos. 239, 241, 255, 277, 315 and 349.

Also,

House Bills Nos. 350, 338—with amendment, 360, 366, 370, 303, 143, 290 and 260.

And a concurrence in the amendments is respectfully requested.

Also,

House Bills Nos. 284, 287, 288, 299—with amendment, 302, 304, 314. 320 and 327.

All of Which the Council has passed and ask your respectful concurrence to the amendments thereto.

Also,

I return herewith

House Bills Nos. 282—with an amendment, 105, 174, 176, 183, 205—with an amendment, 245 and 247.

Also,

Substitute for

House Bill No. 261.

Also,

House Bills Nos. 376 and 362.

All of which the Council have passed and a concurrence in the amendments is respectfully requested.

A. W. HOWARD,
Chief Clerk.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 10, 1885.

To the Speaker of the House of Representatives:

I have the honor to return

House Bill No. 158

Without my approval. The grounds for objecting to bills of this character have been stated in former messages, and I do not find that this message is sufficiently free from such objection to warrant me in making it an exception.

Also,

I have the honor to inform the House that I have approved

House Bills Nos. 159, 126, 238, 258, 213, 46, 95 and 93.

GILBERT A. PIERCE,
Governor.

The question being: Shall

House Bill No. 158. A bill for an act locating Central Dakota University at Ordway,

Pass, the Governor's veto to the contrary notwithstanding.

The roll being called, there were 1 vote in the affirmative, and 32 votes in the negative, viz:

Those who voted in the affirmative were:

Mr. Swanton.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Clark, DeWoody, Gregg, Huston, Hobart, Helvig, Hutchinson Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Parshall, Riddell, Roach, Ruger, Steele, Stevens, Smith, Stebbins, Scott, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Bayard, Coe, Dawson, Eldredge, Huntington, McHugh, Oliver, Pickler, Pugh, Runkle, Southwick, Sprague, Stewart, Stong.

Mr. Pierce being excused.

So the bill was lost.

CONSIDERATION OF MESSAGES FROM THE COUNCIL.

The House concurred in the Council amendments to House Bills Nos. 338.

Substitute for

House Bill No. 239:

Mr. McCumber introduced—

House Bill No. 239. A bill for an act to provide for

County Commissioners in the counties of Richland, Faulk, Hyde, and Sargeant,

Which was read the first time, and

On motion of Mr. Pickler,

The rules were suspended, and

The bill read the second and third times, and

Put upon its final passage.

The roll being called there were 32 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Eldredge, Gregg, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Huntington, Huston, Langan, McCumber, Pugh, Ruger, Southwick, Smith, Van Osdell, Ward of Turner, Williams, Ward of Brule.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 305. A bill for an act to amend chapter 1 Special Laws of 1883, relating to County Auditors in the counties of Brown, Grant, Day, Codington, Duell, Sargant, Ransom and Dickey,

Was read the third time and put upon its final passage.

The roll being called there were 30 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Eldredge, Gregg, Helvig, Johson, Larson, Myron, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Huntington, Huston, Hobart, Hutchinson, Langan, Miller, Martin, McCumber, Pugh, Runkle, Ruger, Southwick, Van Osdel, Ward of Brule.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

Mr. Steele moved

To appoint a committee on Apportionment of one from each Legislative District,
Which motion prevailed.

The Speaker announced his signature to
House Bills Nos. 92, 240,198,286, 179, 308.

The Speaker appointed Messrs. Blakemore, Coe, Dawson, Ward of Turner, Mark Ward, Runkel, Barnes, Huntington, Gregg, Steele, Oliver, Morgan, and Ruger as the Apportionment committee.

Mr. Gregg moved to refer
House Bill 328
To the general orders
Which motion was lost.

Call of the House demanded.

Mr. Johnson moved
That further proceedings under the call be dispensed with
Which motion prevailed.

Mr. McHugh moved that
House Bill No. 328
Be made special order for to-morrow at 3 o'clock P. M.

Mr. Barnes moved
As a substitute motion
That the House go immediately into committee of the Whole to consider the bill,
Which motion prevailed.

COMMITTEE OF THE WHOLE.

The House resolved itself into a
Committee of the Whole, for the consideration of
House Bill 328
Mr. Roach in the chair.

When the committee rose the chairman reported as follows:

MR. SPEAKER:

Your committee of the whole House have considered
House Bill No. 328
With the amendments thereto, and
Recommend the adoption of sundry amendments, and
That the bill as so amended do pass.

W. N. ROACH,
Chairman.

Mr. Martin moved
The adoption of the report,
Which motion prevailed.

House Bill No. 328. A bill for an act to prohibit the manufacture and sale of intoxicating liquors, and
Providing conditionally for local options
Was read the third time and put upon its final passage.
The roll being called there were 23 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, Huston, Helvig, Johnson, Myron, Miller, Martin, McCall, McCumber, Pickler, Riddell, Roach, Smith, Sprague, Stebbins, Stong, Ward of Turner, Williams, Ward of Brule.

Mr. Larson voting in the negative.

Absent and not voting:

Messrs. Clark, DeWoody, Eldredge, Gregg, Huntington, Hobart, Hutchinson, Langan, Morgan, McHugh, Oliver, Parshall, Pugh, Runkle, Ruger, Steele, Southwick, Stevens, Swanton, Scott, Stewart, Van Osdel, Mr. Speaker.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 376. A bill for an act to amend the charter of the city of Steele, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called there were 31 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McHugh, Parshall, Pickler, Pugh, Riddell, Roach, Ruger, Steele, Stevens, Sprague, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:
Messrs. Bayard, Runkle, Smith, Stebbins, Stewart.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, Oliver, Pierce, Southwick, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

The Speaker pro tem. declared that no quorum was present and announced that the House stood

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTY-EIGHTH DAY.

BISMARCK, Wednesday, March 11, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Mr. Pierce absent; excused by reason of illness.

The Speaker announced his signature to

House Bills Nos. 38, 260, 370, 366, 71, 303, 209, 186, 360, 362 and 350.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 11, 1885.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

House Bill No. 407. A bill for an act authorizing school district No. 52, of Duell county, Dakota Territory, to issue bonds to build a school house,

Have had the same under consideration, and report it back and recommend that the bill do pass.

Also,

House Bill No. 164. A bill for an act to amend chapter 28 of the Political Code; also, section 648, chapter 4 of the Civil Code, Have had the same under consideration, and report it back and recommend that the bill do pass.

E. B. DAWSON,
Chairman.

BISMARCK, March 10, 1885.

MR. SPEAKER:

Your committee on Judiciary have considered

House Bill No. 331. A bill for an act to change the name of certain person,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 353. A bill for an act amending section 658, chapter 4 of the Civil Code,

And beg leave to report unfavorably and recommend that it do not pass.

Also,

House Bill No. 356. A bill for an act to amend section 540 of the Civil Code,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 359. A bill for an act to amend section 107 of the Code of Civil Procedure,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 386. A bill for an act to legalize school tax levied by Andover school township No. 9, in Day county, July 12th, 1884.

And beg leave to report favorably, and recommend its passage.

BISMARCK, March 11, 1885.

MR. SPEAKER:

Your committee on Judiciary report a
Substitute for
Council Bill No. 262,
And recommend that the same do pass.

E. W. MARTIN,
Chairman.

Mr. Martin moved
To adopt the report.
Which motion prevailed.

MR. SPEAKER:

Your committee to whom was referred
House Bill No. 341,
Have carefully considered the same and recommend that it do pass.

MARK WARD,
Chairman.

MR. SPEAKER:

Your committee on Territorial Affairs, to whom was referred

House Bill No. 397. A bill for an act providing for the collection and compilation of statistics of the Territory of Dakota,

And beg leave to report favorably and recommend its passage.

Also,

House Bill No. 396. A bill for an act to provide for the disposal and safe keeping of the territorial exhibit of Dakota at the World's Fair, at New Orleans,

And beg leave to report favorably and recommend that the bill do pass.

Also,

House Bill No. 418. A bill for an act relating to the sale of certain lands the title of which is vested in the territory, and

Beg leave to report that we recommend that the bill do pass.

Also,

House Bill No. 379. A bill for an act to provide a standard of weights and measures, and

Beg to report that we recommend that the bill do pass.

S. E. STEBBINS,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

House Bill No. 404. A bill for an act to amend the charter of Minto, Walsh county,

Have considered the same and recommend that it do pass.

Also,

House Bill No. 384,

Have considered the same, and recommend the bill do pass.

Also,

House Bill No. 333. A bill for an act to vacate Cherry street in the town of Menno, Hutchinson county, Dakota,

Have considered the same and recommend that it do pass.

Also,

House Bill No. 230,

Have had the same under consideration and recommend that it do pass as amended.

Also,

House Bill No. 414,

And beg leave to report favorably and recommend the passage of the bill.

Also,

House Bill No. 324,

Recommending the passage of the bill.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee on Highways, Bridges and Ferries, to whom was referred

House Bill No. 330,

Beg leave to report that they have considered the same and a majority thereof recommend that the bill do not pass.

A. McCALL,
Chairman.

MR. SPEAKER:

A minority of your committee on Highways, Bridges and Ferries, to whom was referred

House Bill No. 330,

Beg leave to report favorably to said bill and recommend that the same do pass.

DONALD STEWART,
O. A. HELVIG.

MR. SPEAKER:

The undersigned submits a minority report to

House Bill No. 353,

Amending section 658, chapter 4, Civil Code.

J. A. PICKLER,

MR. SPEAKER:

Your committee on Military affairs have had
House Bill No. 168,
Under consideration, and
Report the same back with the recommendation that it do pass.

A. L. VAN OSDEL,
Chairman.

MR. SPEAKER:

Your committee on Education, to whom was referred
House Bill No. 399
Have had the same under consideration and beg leave to report the same back with recommendations that it do pass.

Also,
House Bill No. 355,
Have considered the same and recommend that the bill do pass.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment, to whom was referred
Council Bill No. 317,
Beg leave to report that they have had the same under consideration and recommend that the said bill do pass, and
That it be placed at once upon its final passage.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred
House Bill Nos. 186, 209, 360, 303, 370, 366, 260, 71, 350, 38 and 362,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bill Nos. 105 and 385,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill Nos. 47, 338, 320, and 239,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill Nos. 349, 315, and 227,

And beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill Nos. 245, 388, 52, 170, 255 and 224,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill Nos. 351, 365, 277, 241 and 229,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 11th day of March, 1885, at 3:30 o'clock p. m., presented

House Bills Nos. 38, 71, 92, 155, 179, 186, 198, 204, 209, 225, 240, 260, 286, 303, 305, 308, 326, 350, 360, 362, 364, 366, 370, 105, and 385,

To His Excellency the Governor for his signature and approval.

V. V. BARNES,
Chairman.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER:

The undersigned members of your committee to whom was referred

House Bill No. 395,

Beg leave to report that they have had the same under consideration and believe that the bill ought to pass for the following among other reasons:

1st. The amendment incorporated by the House in the bill, creating the railroad commission, giving the commission power to fix rates in certain cases, is, we believe, a dangerous power to lodge in the hands of three men. It virtually takes control of railroad property out of the hands of the men who built the roads and puts it into the hands of strangers.

2d. It will not be of any value to farmers or the shippers, because the legislature only has power to establish rates within the territory. It cannot effect the rates on grain which is shipped out, nor on the lumber, goods, etc., which are shipped in.

3d. It is a standing menace and threat to the railroads. It will, we believe, retard and impede the building of rail roads in the territory as long as it remains as the law of our territory.

For these reasons, and for many others which will suggest themselves to thoughtful men, we believe the law, as it now stands, would be detrimental to the interests of the people and the rail roads. We believe in encouraging the building of railroads in the territory rather than indulging in legislation which will tend to retard our future growth and development.

All of which is respectfully submitted.

E. HUNTINGTON,
MARK WARD,
T. M. PUGH,

I do not endorse all the reasons enumerated in the foregoing report, but recommend the passage of the bill.

E. W. MARTIN,

MR. SPEAKER:

The undersigned, members of your rail road committee, beg leave to report, recommending that

House Bill No. 395. A bill for an act for the repeal of certain portions of the bill known as the "Railroad commission bill,"

Do not pass.
Dated March 9, 1885.

V. V. BARNES,
HANS MYRON,
A. L. VAN OSDEL,
C. W. MORGAN,

MR. SPEAKER:

Your committee who have had the charter of the city of Fargo under consideration, would respectfully report that we have carefully examined the same, and would recommend the following amendments and as amended that the bill do pass.

H. S. OLIVER,
T. M. PUGH,
S. E. STEBBINS,
P. MCHUGH.

Mr. Williams moved
The adoption of the report.
Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Riddell introduced the following resolution:

Be it Resolved, That no bill, except the apportionment, shall be received for consideration by this House after 12 o'clock noon to-day, except by unanimous consent,
And moved its adoption.

Which motion prevailed.

Mr. Smith moved that
House Bill No. 220
Be placed back into second reading of bills for the purpose of amending it.

Which motion was lost.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 11, 1885.

MR. SPEAKER:

I transmit herewith
Council Bill No. 310. A bill for an act creating the county of Norman,

Which the Council has passed and to which your concurrence is respectfully requested.

Also,
Council Bill No. 339. A bill for an act to amend the charter of the city of Ashton.

Also,
Council Bill No. 321. A bill for an act extending authority to the board of county commissioners of Eddy county to issue bonds.

Also,
Substitute for
Council Bill No. 320. A bill for an to act to create and define the boundaries of the county of Stanton, and for other purposes.

All of which the Council has this day passed and your concurrence is respectfully requested to the same.

Also,
House Bill No. 363. A bill for an act to incorporate the city of Salem, of the county of McCook.

Also,

House Bill No. 340. A bill for an act to incorporate the city of Frankfort.

Also,

House Bill No. 337. A bill for an act to establish independent school district of Flandreau, Dakota.

Also,

House Bill No. 309. A bill for an act entitled an act incorporating the village of Woonsocket, Dakota.

Also,

House Bill No. 393. A bill for an act to amend an act to incorporate the village of Valley Springs.

Also,

House Bill No. 388. A bill for an act to authorize Montrose and Grant school townships, McCook county, to issue bonds to fund its outstanding indebtedness,

Which the Council has amended.

Also,

House Bill No. 385. A bill for an act to legalize the organization of New Salem township, Morton county.

Also,

House Bill No. 378. A bill for an act in regard to the selling and smoking of opium.

Also,

House Bill No. 375. A bill for an act to authorize Andover school township to issue bonds to build school houses.

Also,

House Bill No. 369. A bill for an act establishing independent school district of Walcott, Dakota.

Also,

House Bill No. 367. A bill for an act to amend an act entitled an act to incorporate the village of Flandreau.

Also,

House Bill No. 365. A bill for an act to regulate the receiving and transportation of fuel on rail roads in this territory.

Also,

House Bill No. 351. A bill for an act to define the boundaries of Oliver and Mercer counties.

Also,

House Bill No. 335. A bill for an act to amend the charter of the city of Lisbon, and for other purposes.

Also,

House Bill No. 342. A bill for an act to legalize school township elections held in school township No. 2, Turner county.

All of Which the Council has passed.

Also,

Council Bill No. 130. A bill for an act defining the county of Traill into county commissioner districts.

Also,

Council Bill No. 334. A bill for an act to amend chapter 45 of the Laws of 1883, empowering school townthips to issue their bonds for building school houses.

Also,

Council Bill No. 309. A bill for an act establishing independent school district of Springfield, Bon Homme county.

All of which the Council has passed, and to which your concurrence is respectfully requested.

A. W. HOWARD,
Chief Clerk.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, Dak., March. 11, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bill No. 215. A billfor an act authorizing the Board of County Commissioners of Aurora county, to fund the outstanding indebtedness thereof.

GILBERT A. PIERCE,
Governor.

INTRODUCTION OF BILLS.

Mr. Smith introduced—

House Bill No. 414. A bill for an act to amend the charter of Sioux Falls,

Was read the first and second time and referred to the committee on Towns and Cities

Mr. Bayard introduced—

House Bill No. 415. bill for an act to amend section 9 of chapter 45 of the Laws of Dakota for 1883,

Was read the first and second time, and

On motion of Mr. Bayard,

The rules were suspended, the bill read the third time and put upon its final passage.

Mr. Pickler introduced—

House Bill No. 416. A bill for an act to establish independent school district of Redfield, Dakota Territory,

Which was read the first and second times and referred to the committee on Education, and

On motion of Mr. Pickler,

The bill was ordered returned from the committee and withdrawn from the records.

Mr. Martin introduced—

House Bill No. 411. A bill for a Joint Resolution relating to perfecting the records of the Council and House,

Which was read the first and second times, and

On motion of ————

The rules were suspended,

The bill read the third time and put upon its final passage.

Mr. Johnson introduced—

House Bill No. 412. A bill for an act entitled an act supplemental to an act entitled an act creating the county of Adams and other purposes,

Which was read the first and second times, and referred to the committee on Counties.

Mr. Williams introduced—

House Bill No. 413. A bill for an act authorizing the County Commissioners of Burleigh county to issue bonds,

Which was read the first and second times and referred to the committee on Ways and Means.

Mr. Steele introduced—

House Bill No. 417. A bill for an act to amend section 6 of chapter 104 of the session laws of 1883,

Which was read the first and second time and referred to the committee on Judiciary.

Mr. Smith introduced—

House Bill No. 418. A bill for an act to appoint a commission to re-appraise and sell certain lands, the title to which is vested in the territory,

Which was read the first and second times and referred to the committee on Territorial Affairs.

Mr. Stong introduced—

House Bill No. 420. A bill for an act to provide for a charter for the city of Pembina,

Which was read the first and second times and referred to the committee on Towns and Cities.

THIRD READING OF HOUSE BILLS.

House Bill No. 328. A bill for an act to prohibit the manufacture and sale of intoxicating liquors and providing conditionally for local options,

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Dawson DeWoody, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Riddell, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Ward of Turner, Williams.

Those who voted in the negative were:

Messrs. Gregg, Morgan, McHugh, Stevens, Scott, Stewart, Van Osdel.

Absent and not voting:

Messrs. Bayard, Blakemore, Coe, Eldredge, Huntington, Langan, Oliver, Pierce, Pugh, Runkle, Roach, Ruger, Stong, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 404. A bill for an act to amend the charter of the village of Minto,

Was read the third time, and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Gregg, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Pickler, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Scott, Stewart, Van Osdel, Ward of Turner, Williams.

Mr. McHugh, voting in the negative.

Absent and not voting:

Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Langan, Oliver, Parshall, Pierce, Pugh, Runkle, Ruger, Sprague, Stebbins, Stong. Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 330. A bill for an act to exempt from taxation all lands taken for public highways,

Was read the third time and put upon its final passage.

The roll being called, there were 16 votes in the affirmative, and 19 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Eldredge, Helvig, Johnson, Larson, Myron, McCumber, Morgan, McHugh, Roach, Steele, Stevens, Stebbins, Stewart, Van Osdel, Williams.

Those who voted in the negative were:

Messrs. Bayard, Clark, Dawson, DeWoody, Gregg, Huston, Hobart, Hutchinson, Martin, McCall, Parshall, Pickler, Riddell, Swanton, Smith,Sprague, Scott, Stong, Ward of Turner.

Absent and not voting:

Messrs. Blakemore, Coe, Huntington, Langan, Miller, Oliver, Pierce, Pugh, Runkle, Ruger, Southwick, Ward of Brule, Mr. Speaker.

So the bill was lost.

The Speaker called Mr. Williams to the chair.

Mr. Pickler moved

To reconsider the vote by which the report on

House Bill 220, was passed,

Which motion prevailed.

House Bill No. 407. A bill for an act authorizing School District No. 52 of Deuel county to issue bonds to build a school house

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams.

Absent and not voting:

Messrs. Blakemore, Coe, Huntington, Hobart, Langan, Myron, Oliver, Pierce, Pugh, Runkle, Ruger, Southwick, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

Mr. Pickler moved to refer

House Bill No. 220,

To the General Orders

Which motion prevailed.

Mr. Roach was called to the chair.

Mr. Pickler introduced the following resolution—

Be it Resolved,

That the Clerk of the House be instructed to prepare a list of bills passed during this session, immediately after the adjournment of the session, giving the number, title and house in which bill originated, and cause the same to be printed by the public printer, in style that bills are printed, to the number of five hundred, which the Clerk shall immediately after the printing mail in equal numbers to the members of this House.

Mr. Pickler moved it adoption,

Which motion prevailed.

Mr. Pickler was granted permission to withdraw

House Bill No. 416

From the files, and its consideration was indefinately postponed.

Mr. Larson, at 10 o'clock P. M. moved

The House take a recess for one hour,

Which motion prevailed.

After recess

Mr. Pickler moved

To adopt the report of the committee recommending the passage of

House Bill No. 395.

Mr. Barnes moved

As a substitute

To adopt the report of the committee recommending that the bill do not pass.

Call of the House demanded.

Mr. Swanton moved

That further proceedings under the call be dispensed with.

Yeas and nays demanded.

The roll being called, there were 36 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Helvig, Larson, Myron, Miller, McCumber, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Coe, Langan, Pierce, Southwick.

The Speaker announced his signature to

Council Bills Nos. 204, 202, 144, 254, 16, 248, 244, 23, 133, 108, 162, 230, 217, 152, 264, 283, 218, 300, 229, 168, 260, 165, 239, 265, 140, 174, 139, 120, 66, 89, 171, 238, 91, 235, 142, 111, 167, 244, 280, 288, 253, 290, 266, 185, 156, 257, 45, 302 and 228.

Also,

House Bills Nos. 388, 245, 52, 170, 255, 224, 253, 351, 365, 277, 241 and 229.

Mr. Barnes moved

To indefinitely postpone

House Bill No. 395.

The ayes and nays demanded.

The roll being called, there were 12 votes in the affirmative, and 29 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Dawson, Helvig, Larson, Myron, Miller, McCumber, Stevens, Smith, Stebbins, Stewart, Van Osdel.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Martin, Morgan, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Sprague, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting.

Messrs. Langan, McCall, McHugh.

Messrs. Coe, Pierce, Southwick and Ward, of Turner paired.

So the motion prevailed.

The Speaker announced his signature to.

House Bills Nos. 105 and 385.
Mr. Miller moved
To take
House Bill No. 271
From the General Orders, and
Put it upon its third reading and final passage.

Mr. Martin moved
The previous question.

The ayes and nays demanded.

The roll being called, there were 23 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, Dawson, Gregg, Hobart, Hutchinson, Langan, Miller, Martin, McCall, Morgan, Oliver, Ruger, Steele, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Helvig, Larson, Myron, McCumber, Pickler, Runkle, Riddell, Roach, Smith, Van Osdel, Ward of Turner.

Absent and not voting:
Messrs. Clark, DeWoody, Eldredge, Huntington, Huston, Johnson, McHugh, Parshall, Pugh, Southwick, Swanton, Mr. Speaker.

Mr. Pierce being excused.

So the previous question was carried.

House Bill No. 271. A bill for an act to establish and provide for the maintenance of a general and uniform system of common schools, and to improve their usefulness,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Dawson, Gregg, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, McHugh, Pickler, Riddell, Roach, Ruger, Southwick, Smith, Sprague, Stebbins, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Hobart, McCumber, Oliver, Pugh, Steele, Scott, Stewart, Stong, Van Osdel.

Absent and not voting:

Messrs. Clark, DeWoody, Eldredge, Huntington, Huston, Johnson, Parshall, Runkle, Stevens, Swanton, Mr. Speaker.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 396. A bill for an act to provide for the disposal, preservation and safe keeping of the territorial exhibit at the World's Fair in New Orleans,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Huston, Helvig, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Williams.

Those who voted in the negative were:

Messrs. Gregg, Hobart, Myron.

Absent and not voting:

Messrs. Clark, Dawson, DeWoody, Eldredge, Huntington, Hutchinson, Morgan, McHugh, Oliver, Parshall, Steele, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 259. A bill for an act to authorize counties to give a bounty on wolf and fox scalps

Was read the third time and put upon its final passage.

The roll being called there were 24 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Dawson, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Pickler, Pugh, Riddell, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, Runkle, Roach, Ruger, Swanton.

Absent and not voting:

Messrs. Barnes, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, McCumber, Morgan, McHugh, Oliver, Parshall, Steele, Stong, Van Osdel, Mr. Speaker.

Mr. Pierce being excused,

So the bill passed and its title was agreed to.

Substitute for

House Bill No. 34. A bill for an act to prevent and suppress the spread of pleuro pneumonia among cattle

Was read the third time and put upon its final passage.

The roll being called there were 20 votes in the affirmative and 8 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Gregg, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, McCall, Pickler, Runkle, Riddell, Stevens, Smith, Stebbins, Scott, Stewart, Ward of Turner.

Those who voted in the negative were:

Messrs. Blakemore, Huston, Roach, Ruger, Swanton, Sprague, Stong, Williams.

Absent and not voting:

Messrs. Clark, Coe, Dawson, DeWoody, Eldredge, Huntington, Hutchinson, Martin, McCumber, Morgan, McHugh, Oliver, Parshall, Pugh, Steele, Southwick, Van Osdel, Ward of Brule. Mr. Speaker.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 395. A bill for an act to amend an act entitled an act to provide for the establishment of a Board of Railroad Commissioners, defining their duties and to regulate the receiving and transportation of freight on railroads in this territory,

Was then read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 13 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Martin, McCall, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Roach, Ruger, Steele, Swanton, Sprague, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Dawson, Helvig, Larson, Myron, Miller, McCumber, Riddell, Smith, Stebbins, Stewart, Van Osdel.

Absent and not voting:

Messrs. Langan, Stevens.

Messrs. Coe, Pierce, Southwick, Ward of Turner, paired.

So the bill passed and its title was agreed to.

House Bill No. 359. A bill for an act to amend section 107 code of civil procedure

Was read the third time and put upon its final passage.

The roll being called, there were 18 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs Barnes, Bayard, Clark, Johnson, Miller, Martin, McCall, McCumber, Pickler, Pugh, Riddell, Roach, Smith, Sprague, Stewart, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Gregg, Huntington, Hobart, Helvig, Hutchinson, Larson, McHugh, Parshall, Steele, Swanton, Scott, Stong, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, Eldredge, Huston, Langan, Myron, Morgan, Oliver, Pierce, Runkle, Ruger, Southwick, Stevens, Stebbins.

So the bill passed and its title was agreed to.

House Bill No. 333. A bill for an act to vacate Cherry street in the town of Menno, in Hutchinson county, Dakota Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, Huntington, Huston, Hobart, Helvig, Hutchinson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Mr. DeWoody voting in the negative.

Absent and not voting:

Messrs. Blakemore, Eldredge, Gregg, Johnson, Larson, Langan, Oliver, Pierce, Runkle, Ruger, Southwick, Stebbins, Scott, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 164. A bill for an act to amend chapter 28 of the Political Code,

Also,

Section 648, chapter 4 of the Civil Code

Was read the third time and put upon its final passage.

The roll being called, there were 20 votes in the affirmative and 6 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Huston, Helvig, Hutchinson, Larson, Myron, McCumber, McHugh, Pugh, Riddell, Roach, Steele, Smith, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. DeWoody, Gregg, Huntington, Hobart, Parshall, Van Osdel.

Absent and not voting:

Messrs. Coe, Eldredge, Johnson, Langan, Miller, McCall, Morgan, Oliver, Pickler, Pierce, Runkle, Ruger, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Mr. Speaker.

Mr. Martin being excused.

So the bill passed and its title was agreed to.

House Bill No. 181. A bill for an act to prohibit certain officers from serving process under the General Laws of the Territory,

Was read the third time and put upon its final passage.

The roll being called, there were 12 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Helvig, Larson, Myron, Martin, Morgan, Pickler, Smith, Sprague, Scott, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, DeWoody, Gregg, Huntington, Hobart, McCall, McHugh, Oliver, Parshall, Riddell, Roach, Steele, Stewart.

Absent and not voting:

Messrs. Coe, Dawson, Eldredge, Huston, Hutchinson, Johnson, Langan, Miller, McCumber, Pierce, Pugh, Runkle, Ruger, Southwick, Stevens, Swanton, Stebbins, Stong, Van Osdel, Mr. Speaker.

So the bill was lost.

House Bill No. 168. A bill for an act to provide for taking the census of soldiers and others,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Gregg, Johnson, Larson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Scott, Stewart. Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Langan, Myron, Oliver, Pierce, Runkle, Ruger, Southwick, Stebbins, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 313. A bill for an act to legalize the acts of the president and trustees of the town of Ipswich, and to provide means of protection against loss by fire,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Swanton, Scott, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Larson, Parshall, Sprague.

Absent and not voting:

Messrs. Barnes, Coe, Eldredge, Helvig, Langan, Myron, Pickler, Pierce, Runkle, Riddel, Southwick, Smith, Stebbins, Stewart, Van Osdel, Williams.

So the bill passed and its title was agreed to.

House Bill No. 306. A bill for an act to amend an act to regulate the sale of intoxicating liquors,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huntington, Hobart, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pugh, Roach, Ruger, Swanton, Smith, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Mr. DeWoody voting in the negative.

Absent and not voting:

Messrs. Eldredge, Huston, Helvig, Johnson, Langan, Oliver, Parshall, Pierce, Runkle, Riddell, Steele, Southwick, Stevens, Sprague, Stebbins, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 331. A bill for an act to change the names of certain persons,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Smith, Stebbins, Stewart, Stong, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Parshall, Ruger, Swanton, Scott, Van Osdel.

Absent and not voting:

Messrs. Blakemore, Coe, DeWoody, Eldredge, Huntington, Langan, Oliver, Pierce, Steele, Sprague, Ward of Turner, Williams.

So the bill passed and its title was agreed to.

House Bill No. 397. A bill for an act providing for the collection and compilation of statistics of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Eldredge, Gregg, Huston, Helvig, Hutchinson, Johnson, Myron, Miller, Martin, Parshall, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, DeWoody, Huntington, Hobart, Larson, Langan, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Ruger, Steele, Southwick, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 386. A bill for an act to legalize school tax levied by Andover school township No. 9 in Day county

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Dawson, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pugh, Roach, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule.

Those who voted in the negative were:

Messrs. Parshall, Runkle, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Coe, DeWoody, Huntington, Langan, Oliver, Pickler, Pierce, Riddell, Ruger, Steele, Southwick, Sprague, Williams, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 353. A bill for an act amending section 658 chapter 4 of the Civil Code

Was read the third time and put upon its final passage.

The roll being called there were 2 votes in the affirmative and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Gregg.

Those who voted in the negative were:

Messrs. Bayard, Hobart, Johnson, Larson, Martin, McCumber, Morgan, McHugh, Parshall, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Blakemore, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Helvig, Hutchinson, Langan, Myron, Miller, McCall, Oliver, Pickler, Pierce, Runkle, Ruger, Van Osdel, Williams, Ward of Brule.

So the bill was lost.

House Bill No. 356. A bill for an act to amend section 540 of the Civil Code

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Gregg, Huston, Miller, Martin, McCumber, Morgan, McHugh, Runkle, Riddell, Roach, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart, Parshall, Swanton.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, DeWoody, Eldredge, Huntington, Helvig, Hutchinson, Johson, Larson, Langan, Myron, McCall, Oliver, Pickler, Pierce, Pugh, Ruger, Steele, Southwick, Stevens, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 384. A bill for an act to incorporate the city of Alexandria

Was read the third time and put upon its final passage.

The roll being called there were 27 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Gregg, Huston, Hutchinson, Johnson, Myron, Miller, Martin, McHugh, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, DeWoody, Eldredge, Huntington, Hobart, Helvig, Larson, Langan. McCall, McCumber, Morgan, Oliver, Pierce, Pugh, Ruger, Southwick, Van Osdel, Ward of Turner, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 399. A bill for an act to establish the Plankington independent school district in Aurora county

Was read the third time and put upon its final passage.

The roll being called there were 25 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Huston, Hutchinson, Johnson, Larson, Myron, Miller, Morgan, Parshall, Riddell, Roach, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams.

Absent and not voting:

Messrs. Blakemore, Coe, Eldredge, Gregg, Huntington, Hobart, Helvig, Langan, Martin, McCall, McCumber, McHugh, Oliver, Pickler. Pierce, Pugh, Runkle, Ruger, Steele, Southwick, Stevens, Ward of Brule. Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 415. A bill for an act to amend section 9 chapter 45 laws of 1883

Was read the third time and put upon its final passage.

The roll being called there were 25 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Huston, Helvig, Johnson, Miller, Martin, McCall, McHugh, Parshall, Pickler, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward, of Turner, Williams, Ward of Brule.

Absent and not voting.

Messrs. Blakemore, Coe, Dawson, DeWoody, Eldredge, Gregg, Huntington, Hobart, Hutchinson, Larson, Langan, Myron, McCumber, Morgan, Oliver, Pierce, Pugh, Runkle, Ruger, Steele, Southwick, Stong, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 411. A bill for a Joint Resolution relating to perfecting the records of the Council and House

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Dawson, DeWoody, Gregg, Huston, Hobart, Helvig, Johnson, Larson, Miller, Martin, McCall, McHugh, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Southwick, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Bayard, Blakemore, Coe, Eldredge, Huntington, Hutchinson, Langan, Myron, McCumber, Morgan, Oliver, Pierce, Pugh, Ruger, Stevens, Swanton, Van Osdell, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 379. A bill for an act to provide a standard of weights and measures,

Was read the third time and put upon its final passage.

The roll being called there were 21 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Huston, Hobart, Helvig, Johnson, Larson, Myron, Pickler, Runkle, Riddell, Roach, Smith, Stebbins, Scott, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Gregg, McCall, McCumber, Swanton, Sprague, Stewart, Stong.

Absent and not voting:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Hutchinson, Langan, Miller, Martin, Morgan, McHugh, Oliver, Parshall, Pierce, Pugh, Ruger, Steele, Southwick, Stevens. Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 355. A bill for an act to amend section 12 of chapter 62 of the Special and Private Laws of 1881.

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Swanton, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams.

Mr. Myron voting in the negative.

Absent and not voting:

Messrs. Barnes, DeWoody, Eldredge, Huntington, Morgan, McHugh, Oliver, Parshall, Steele, Stevens, Smith, Stong, Ward of Brule, Mr. Speaker.

Mr Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 324. A bill for an act to vacate that portion of Helmsworth and McLean's addition to the city of Mandan lying south of main track of the Northern Pacific rail road,

Was read the third time and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Hobart, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Pickler, Pugh, Runkle, Roach, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Eldredge, Huntington, Helvig, McCumber, Morgan, McHugh, Oliver, Parshall, Riddell, Ruger, Steele, Southwick, Stevens, Stong, Van Osdel, Ward of Brule.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 230. A bill for an act to incorporate the town of Bridgewater, county of McCook,

Was read the third time and put upon its final passage.

The roll being called, there were 24 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Larson, Miller, Martin, McCall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Van Osdel, Ward of Turner Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart and Myron.

Absent and not voting:

Messrs. Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Langan, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Steele, Southwick, Stebbins, Stong, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 341. A bill for an act relocating the county seat of Charles Mix county

Was read the third time and put upon its final passage.

The roll being called, there were 21 votes in the affirmative, and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson Gregg, Huston, Hutchinson, Johnson, Miller, McCall, Parshall, Pugh, Riddell, Roach, Smith, Stebbins, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart, Larson, Myron, Runkle, Swanton, Scott, Van Osdel.

Absent and not voting:

Messrs. Barnes, DeWoody, Eldredge, Huntington, Helvig, Langan, McCumber, Morgan, McHugh, Oliver, Pickler, Ruger, Steele, Southwick, Stevens, Sprague, Stewart, Stong.

Messrs. Martin and Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 419. A bill for an act amending an act incorporating the City of Bismarck

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Dawson, Gregg, Hobart, Johnson, Miller, Martin, McCall, Parshall, Pickler, Pugh, Riddell, Roach, Ruger, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Mr. Runkle voting in the negative.

Absent and not voting:

Messrs. Coe, DeWoody, Eldredge, Huntington, Huston, Helvig, Hutchinson, Larson, Langan, Myron, McCumber, Morgan, McHugh, Oliver, Pierce, Steele, Southwick, Stong, Van Osdel, Mr. Speaker.

So the bill passed and its title was agreed to.

House Bill No. 414. A bill for an act to amend the charter of Sioux Falls

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, Pickler, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hutchinson and Swanton.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Huston, Hobart, Langan, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Runkle, Ruger, Stebbins, Stong.

So the bill passed and its title was agreed to.

House Bill No. 261. A bill for an act to enable the voters of LaMoure county to locate the county seat

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Myron, Martin, McCall, McCumber, Oliver, Pickler, Pugh, Runkle, Riddell, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Williams, Mr. Speaker.

Mr. Van Osdel voting in the negative.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Huntington, Larson, Langan, Miller, Morgan, McHugh, Parshall, Pierce, Roach, Ruger, Steele, Stebbins, Stewart, Stong, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to:

House Bill No. 337. A bill for an act to establish an independent school district at Flaudreau, Moody county

The bill read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Dawson, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Helvig, Hutchinson, McCumber, Morgan, McHugh, Pierce, Swanton, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 308. A bill for an act to authorize the county commissioners of Benson county to issue bonds to fund their outstanding indebtedness and for other purposes

Was read the first time

Council Bill No. 312. A bill for an act entitled an act establishing Independence school district No. 2, of Grand Forks county

Was read the first time

Council Bill No. 296. A bill for an act establishing Independence school district No. 1, of Hutchinson county, Dakota,

Was read the first time

Council Bill No. 130. A bill for an act dividing the county of Traill into county commissioner districts

Was read the first time

Council Bill No. 334. A bill for an act to amend chapter forty-five (45) of the laws of 1883 empowering school townships to issue their bonds for building and furnishing school houses

Was read the first time

Substitute for

Council Bill No. 210. A bill for an act to provide for the building of a court house and jail in Brown county,

Was read the first time.

Council Bill No. 326. A bill for an act entitled an act to establish independent school district No. 2 in Bon Homme county,

Was read the first time.

Council Bill No. 331. A bill for an act to legalize the assessment of taxes in Roberts county, for the year 1883,

Was read the first time.

Council Bill No. 332. A bill for an act to repeal section 3 of chapter 11, Laws of 1883, and to revive section 378 of the Code of Civil Procedure,

Was read the first time.

Council Bill No. 327. A bill for an act to legalize the certain acts of the county commissioners of Spink county, Dakota Territory,

Was read the first time.

Council Bill No. 318. A bill for an act to define the 6th judicial district of the Territory of Dakota, and to subdivide and to fix the times therein, and for other purposes,

Was read the first time.

Council Bill No. 203. bill for an act entitled an act to create the office of district attorney for the several counties of Dakota Territory, and for other purposes,

Was read the first time.

Council Bill No. 289. A bill for an act to repeal sections 64, 65, 66, 67 and 68 of chapter 112 of the Session Laws of 1883,

Was read the first time.

Council Bill No. 315. A bill for an act to amend section 2 of chapter 9 of the Laws of 1883, entitled capital punishment,

Was read the first time.

Council Bill No. 326. A bill for an act entitled an act to establish independent school district No. 2 in Bon Homme county, Dakota Territery,

Was read the first time.

Council Bill No. 294. A bill for an act entitled an act to authorize a special election in the county of Steele,

Was read the first time.

Council Bill No. 303. A bill for an act entitled an act to provide a special election in the county of Roulette for the election of county officers and locating county seat,

Was read the first time.

Council Bill No. 297. A bill for an act authorizing the board of county commissioners of Bon Homme county to fund the outstanding indebtedness of said county,

Was read the first time.

Council Bill No. 298. A bill for an act authorizing the board of county commissioners of Davidson county to fund the outstanding indebtedness of said county,

Was read the first time.

Substitute for

Council Bill No. 271. A bill for an act to make the office of auditors for Spink, Stuttsman, Barnes, Morton, Burleigh, Nelson, Brookings and Miner counties,

Was read the first time.

Council Bill No. 309. A bill for an act establishing independent school district of Springfield, Bon Homme county, Dakota Territory,

Was read the first time, and

On motion of Mr, Parshall

The rules were suspended

The bill read the second and third times and put upon its final passage.

The roll being called, there were 40 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Oliver voting in the negative.

Absent and not voting:

Messrs. DeWoody, Eldredge, Huntington, Langan, Morgan, McHugh, Pierce.

So the bill passed and its title was agreed to.

Council Bill No. 329. A bill for an act to repeal section 2 of chapter 35 of the Session Laws of 1883,

Was read the first time.

Council Bill No. 313. A bill for an act supplementary to an act entitled an act supplementary to chapter 28 of the Political Code,

Approved March 3, 1885,

Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 308. A bill for an act to authorize the County Commissioners of Benson county to issue bonds to fund their outstanding indebtedness, and for other purposes

Was read the second time and referred to the committee on Ways and Means.

Council Bill No. 312. A bill for an act entitled an act establishing Independence school district No. 2, of Grand Forks county,

Was read the second time and referred to the committee on Education.

Council Bill No. 296. A bill for an to act establishing Independence school district No. 1, of Grand Forks county, Was read the second time and referred to the committee on Education.

Council Bill No. 130. A bill for an act dividing the county of Traill snto county commissioner districts,

Was read the second time and reforred to the committee on Counties.

Council Bill No. 334. A bill for an act to amend chapter 45 of the Laws of 1883, empowering school townships to issue their bonds for building and furnishing school houses

Was read the second time and referred to the committee on Education.

Substitute for

Council Bill No. 210. A bill for an act to provide for the building of a court house and jail in Brown county,

Was read the second time and referred to the committee on Ways and Means.

Council Bill No. 326. A bill for an act entitled an act to establish independent school district No. 2 in Bon Homme county,

Was read the second time and referred to the committee on Education.

Council Bill No. 331. A bill for an act to legalize the assessment of taxes in Roberts county, for the year 1883,

Was read the second time and referred to the committee on Ways and Means.

Council Bill No. 332. A bill for an act to repeal section 3 of chapter 11, Laws of 1883, and to revive section 378 of the Code of Civil Procedure,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 327. A bill for an act to legalize certain acts of the county commissioners of Spink county, Dakota Territory,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 318. A bill for an act to define the 6th judicial district of the Territory of Dakota, and to subdivide and to fix the times therein, and for other purposes,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 203. A bill for an act entitled an act to create the office of district attorney for the several counties of Dakota Territory, and for other purposes,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 289. A bill for an act to repeal sections 64, 65, 66, 67 and 68 of chapter 112 of Session Laws of 1883,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 315. A bill for an act to amend section 2 of chapter 9 of the Laws of 1883, entitled capital punishment,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 326. A bill for an act entitled an act to establish independent school district No. 2 in Bon Homme county, Dakota Territory,

Was read the second time and referred to the committee on Education.

Council Bill No. 294. A bill for an act entitled an act to authorize a special election in the county of Steele,

Was read the second time and referred to the committee on Counties.

Council Bill No. 320. A bill for an act entitled an act to provide a special election in the county of Roulette for the election of county officers and locating county seat,

Was read the second time and referred to the committee on Counties.

Council Bill No. 207. A bill for an act authorizing the board of county commissioners of Bon Homme county to fund the outstanding indebtedness of said county,

Was read the second time and referred to the committee on Ways and Means.

Council Bill No. 298. A bill for an act authorizing the board of county commissioners of Davidson county to fund the outstanding indebtedness of said county,

Was read the second time and referred to the committee on Ways and Means.

Council Bill No. 271. A bill for an act to make the office of auditors for Spink, Stuttsman, Barnes, Morton, Burleigh, Nelson, Brookings and Miner counties, Was read the second time and referred to the committee on Judiciary.

Council Bill No. 329. A bill for an act to repeal section 2 of chapter 35 of the Session Laws of 1883,

Was read the second time and referred to the committee on Judiciary.

Council Bill No. 313. A bill for an act supplementary to an act entitled an act supplementary to chapter 28 of the Political Code,

Approved March 3, 1885,

Was read the second time and referred to the committee on Judiciary.

The House concurred in Council amendments to
House Bills Nos. 282, 205 and 299.

Mr. Martin moved
To adopt
Substitute for
House Bill No. 261.

Council Bill No. 190. A bill for an act providing a charter for the city of Fargo,

Was then read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, DeWoody, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Myron and McCumber.

Absent and not voting:

Messrs. Barnes, Clark, Dawson, Eldredge, Gregg, Huston, Miller, Martin, McCall, Parshall, Pierce, Ruger, Swanton, Stebbins, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 317. A bill for an act providing for extra services of engrossing clerks and payment for their services,

Was read the third time and put upon its final passage.

The roll being called there were 33 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Johnson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Coe, Gregg, Helvig, Hutchinson, Larson, Langan, Oliver, Pierce, Steele, Sprague, Stong, Van Osdel, Williams, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 333. A bill for an act providing for a census of the Territory of Dakota,

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Dawson, Huston, Hobart, Hutchinson, Johnson, Myron, Miller, Martin, McCall, McCumber, Pickler, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, DeWoody, Eldredge, Gregg, Huntington, Helvig, Larson, Langan, Morgan, McHugh, Oliver, Parshall, Pierce, Runkle, Smith, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Pickler moved

To suspend the rules, and that

Council Bill No. 222,

Be read the third time and put upon its final passage.

Yeas and nays demanded.

Call of the House demanded

Mr. Blakemore moved

To suspend the proceedings under the call.

Which motion was lost.

Mr. Pickler moved
To dispense with further proceedings under the call
Which motion was lost.

Mr. Williams moved
To dispense with further proceedings under the call.

Mr. Williams moved
To indefinitely postpone the consideration of the bill.

Call of the House demanded.

Mr. Pickler moved
To dispense with the proceedings under the call
Which motion prevailed.

Mr. Williams moved
The previous question on the indefinite postponement of the bill.

Call of the House demanded.

Mr. McHugh moved
That further proceedings under the call of the House be dispensed with,
Which motion prevailed.

Mr. Pickler moved
To adjourn
Yeas and nays demanded.

The roll being called, there were 5 votes in the affirmative, and 40 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Gregg, Huntington, Helvig, Miller, Sprague.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Dawson, DeWoody, Eldredge, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, Martin, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Langan, Morgan.

Mr. Pierce being excused.

So the motion was lost.

Mr. Pickler moved
The House take a recess for an hour.
The ayes and nays were demanded.

The roll being called, there were 6 votes in the affirmative, and 38 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Dawson, Miller, Martin, Sprague, Mr. Speaker.

Those who voted in the negative were:

Messrs Barnes, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, McCall, McCumber, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Stebbins. Scott. Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Langan and Morgan.

Mr. Pierce being excused.

So the motion was lost.

Mr. Williams moved

The previous question

On the motion to indefinitely postpone.

The roll being called, there were 24 votes in the affirmative, and 20 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, McCall, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Dawson, Helvig, Larson, Myron, Miller, Martin, McCumber, Parshall, Pickler, Runkle, Riddell, Southwick, Swanton, Sprague, Stebbins, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Langan, Morgan, Smith,

Mr. Pierce being excused.

So the motion for the previous question prevailed.

The roll being called on the motion to indefinitely postpone, there were 23 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, McCall, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Helvig, Larson, Langan, Myron, Miller, Martin, McCumber, Parshall, Pickler, Runkle, Riddell, Southwick, Swanton, Sprague, Stebbins, Van Osdel, Ward of Turner.

Mr. Blakemore explaining his vote.

Absent and not voting:
Messrs. Morgan, Smith, Mr. Speaker.

Mr. Pierce being excused.

So the motion to indefinitely postpone prevailed.
Mr. Barnes moved
To suspend the rules, and
Take up
House Bill No. 28.

Yeas and nays demanded.

The roll being called, there were 18 votes in the affirmative and 23 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Dawson, Helvig, Larson, Myron, Miller, Runkle, Riddell, Southwick, Smith, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:
Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Hobart, Hutchinson, Johnson, McCall, McCumber, Oliver, Parshall, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Swanton, Sprague, Stong, Williams, Ward of Brule.

Absent and not voting:
Messrs. Gregg, Huston, Langan, Martin, Morgan, McHugh.

Mr. Pierce being excused.
So the motion was lost.
Call of the House demanded.
Mr. DeWoody moved
To dispense with proceedings under the call.
The ayes and nays were demanded.
The roll being called, there were 25 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Langan, Martin, McCall, McCumber, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Swanton, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Dawson, Eldredge, Hobart, Helvig, Larson, Myron, Miller, Parshall, Pickler, Runkle, Southwick, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Gregg, Morgan, McHugh, Riddell.

Mr. Pierce being excused.

So the motion to dispense with the proceedings under the call prevailed.

Mr. McCumber moved

To suspend the rules and that

Council Bill No. 329. A bill for an act to repeal section 2, chapter 35, of the Session Laws of 1883,

Be read the third time and put upon its final passage.

Bill so read.

The roll being called, there were 25 votes in the affirmative, and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Coe, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Martin, McCall, McCumber, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Smith, Sprague, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Blakemore, Clark, Huston, Hobart, Myron, Stebbins, Scott, Stewart, Van Osdel.

Absent and not voting:

Messrs. Dawson, DeWoody, Larson, Langan, Miller, Morgan, McHugh, Oliver, Ruger, Southwick, Swanton, Stong, Ward of Turner.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

Mr. Pickler moved

To adjourn,

Which motion prevailed.

Adjourned.

CASSIUS M. REED,
Chief Clerk.

FIFTY-NINTH DAY.

BISMARCK, Thursday, March 12, 1885.

The House met at 10 o'clock a. m., pursuant to adjournment.

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

All present except Mr. Pierce and Mr. Dawson, excused to-day and to-morrow by reason of illness.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 12, 1885.

MR. SPEAKER:

Your committee on territorial affairs to whom was referred

Council Bill No. 51. A bill for an act to repeal the Tax Commission, Fish Commission and Grain Commission,

Have had the same under consideration and beg leave to report that we recommend that the bill do pass.

Also,

Council Bill No. 287. A bill for an act relating to the killing of sheep by dogs,

And beg leave to report favorably and recommend that the bill do pass.

S. E. STEBBINS,
Chairman.

MR. SPEAKER:

Your committee on Ways and Means, having
Substitute for
Council Bill No. 210,

Under consideration,

Beg leave to report the same back, as amended, by Council, and recommend that the substitute bill do pass as amended by the Council.

HUGH LANGAN,
Chairman.

Mr. DeWoody moved

To adopt the report of the committee,

Which motion prevailed.

MR. SPEAKER:

Your committee on Highways, Bridges and Ferries,

To whow was referred

Council Bill No. 330,

Having duly considered the same and believing it to be meritorious, recommend that it do pass.

A. McCALL,
Chairman.

MR. SPEAKER:

Your committee on Towns and Cities, to whom was referred

Council Bills Nos. 295 and 325, and

Substitute for

Council Bill No. 221,

Have considered the same and recommend that they do pass.

Also,

Council Bill No. 316 with amendments,

And recommend that the bill as amended do pass.

M. L. MILLER,
Chairman.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 296,

Beg leave to report that they have considered the same and recommend the same do pass.

Also,

Council Bill No. 334,

Beg leave to report that they have considered the same and recommend that the bill do pass.

Also,

Council Bill No. 307. A bill for an act to create a joint school township in the counties of Griggs and Steele, and

Report the same back with recommendation that the same do pass

Also,

Council Bill No. 326,

Beg leave to report that they have considered the same and recommend that the bill do pass.

J. M. BAYARD,
Chairman.

MR. SPEAKER:

Your committee on Penal Institutions having had under consideration

Council Bill No. 231,

Report the same back recommending that the same do pass.

Also,

Council Bill No. 194,

Recommend the following amendment:

That section 1 be amended by striking out the words, "forty miles per day," and insert in place thereof the following: "thirty miles per day," and

That the bill pass as amended.

GEO. H. JOHNSON,
Chairman.

MR. SPEAKER:

Your committee on Insurance have had under consideration

Council Bill No. 21,

And would respectfully recommend that the same be amended by striking out the words, "one of their number," where they appear in the ninth line of section 2 of the bill and insert in lieu thereof the words, "from their number a,"

And that the bill so amended do pass.

C. E. HUSTON,
Chairman.

MR. SPEAKER:

Your Appropriation committee to whom was referred

Council Bill No. 186. A bill for an act to appropriate funds for the payment of fuel used in heating the Capitol building,

Have had the same under consideration and beg leave to report a substitute for the same, and

Recommend that the substitute do pass.

J. A. PICKLER,
Chairman.

MR. SPEAKER:

Your committee on Judiciary have considered

Council Bill No. 304. A bill for an act to vacate North Tyndall, in the county of Bon Homme, Dakota,

And beg leave to report favorably and recommend its passage.

Also,

Council Bill No. 249. A bill for an act to create a new subdivision of the 39th Judicial District,

And beg leave to report favorably, and recommend its passage.

Also,

Council Bill No. 189. A bill for an act to amend section 101 of the Code of Civil Procedure

And beg leave to report favorably, and recommend its passage.

Also,

Council Bill No. 271,

And recommend that the same do pass.

Also,

Report favorably on

Council Bill No. 332.

Also,

Council Bill No. 285. A bill for an act creating a Judicial subdivision of the Second Judicial District and fixing time of holding court therein,

And beg leave to report favorably and recommend its passage.

Also,

Council Bill No. 315,

And recommend that the same do pass.

Also,

Council Bill No. 327,

And recommend its passage.

Also,

Report back

House Bill No. 410

Without recommendation.

Also,

Report favorably on

House Bill No. 270,

And recommend its passage.

Also,
Report favorably on
Council Bill No. 289,
And recommend its passage.
Also,
Report favorably upon
Council Bill No. 336.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

The Judiciary committee recommend that
Council Bill No. 203
Be amended by striking out the words "four hundred dollars," where they occur therein, and inserting instead the words "two hundred dollars,"
And that the bill, as amended, pass.

E. W. MARTIN,
Chairman.

Mr. Martin moved
The adoption of the amendment,
Which motion prevailed.
Mr. Williams moved
To reconsider the vote by which the report passed,
Which motion prevailed.

MR. SPEAKER:

The Judiciary committee report favorably on
Council Bill No. 318.

EBEN W. MARTIN,
Chairman.

Mr. Martin moved
The adoption of the amendments,
Which motion prevailed.

MR. SPEAKER:

Your Judiciary committee have considered
House Bill No. 354. A bill for an act to provide a salary for clerks of the District Court,
And recommend the following amendment, by striking out the words "and in counties that have more than five thousand population, said clerk shall receive an annual salary of three hundred dollars," and when the said bill is so amended
Recommend that it do pass.

E. W. MARTIN,
Chairman.

A minority recommend that the bill do not pass.

A. L. SPRAGUE,
E. W. MARTIN.

MR. SPEAKER:

Your committee to whom was referred
Council Bill No. 294,
Beg leave to report that it do pass.

Also,
Council Bill No. 299,
Have considered the same and recommend that it do pass.

Also,
Council Bill No. 308,
Have considered the same and recommend that it do pass.

Also,
Council Bill No. 130,
Beg leave to report recommending that it do pass.

Also,
Council Bill No. 303,
Have considered the same and recommend that it do pass.

Also,
Council Bill No. 320,
Have had the same under consideration and recommend that the same do pass.

Also,
Council Bill No. 341,
Beg leave to report recommending that it do pass.

MARK WARD.
Chairman.

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

Council Bill No. 223. A bill for an act to provide for the assessment and taxation of telegraph property in the territory,

Have had the same under consideration, and recommend that the bill be referred to General Order.

Also,
Substitute for
House Bill No. 83. A bill for an act to regulate telegraph companies and for other purposes,

Have had the same under consideration and report it back, and recommend that it be referred to General Order.

E. B. DAWSON,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill Nos. 347, 393, 176, 314, 162, 376, 395, 367, 217, 15, 369 and 138,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 222, 117, 174, 141, 378, 380 and 382,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 402, 233 and 269,

And beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 309 and 394.

And beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 254, 404, 287, 337 and 324,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 376,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 290,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have this 12th day of March, 1885, at 6 o'clock p. m., presented

House Bills Nos. 139, 183, 261, 282, 299, 304 and 375,

To his Excellency, the Governor, for his signature and approval.

Also,

Mr. Pickler moved
To adopt the report of the committee,
Which motion prevailed.

REPORTS OF SPECIAL COMMITTEES.

MR. SPEAKER:

The special committee appointed to consider

House Bill No. 220. A bill for an act to provide for the taxation of Express Companies,

Report herewith a substitute, and recommend its adoption.

E. W. MARTIN,
HUGH LANGAN,
P. J. MCCUMBER.

MR. SPEAKER:

Your special committee report favorably upon
Council Bill No. 51,
And recommend its passage.

E. W. MARTIN,
Chairman.

MR. SPEAKER:

A minority of your committee on Agriculture would respectfully recommend that the bill do pass for the following reasons:

The territory needs all the information it can get on horticulture and forestry, if the information can be got for a reasonable sum. The sum asked for in this bill is small in comparison with the importance and magnitude of the industries of horticulture and forestry. The publishing of the reports of the Horticultural society in connection with the report of the Board of Agriculture, is very desirable, and the two will make a valuable pamphlet for the people of Dakota. We therefore recommend that the bill pass.

H. W. SMITH.

MOTIONS AND RESOLUTIONS.

Resolved, That it is the sense of this House that George W. Pierce, a member of this House, and Messrs. W. S. Wells and V. E. Prentice should be exonerated from the charges of bribery and corruption, made against them in connection with House Bill No. 7.

JOHN T. BLAKEMORE,
Chairman.

Beg leave to report that we have this 12th day of March, 1885, at 3:48 o'clock p. m., presented

House Bills Nos. 378, 174, 222, 141, 269, 233, 402, 382, 380 and 117,

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 11th day of March, 1885, at 5 o'clock p. m., presented

House Bills Nos. 253, 241, 388, 229, 365, 224, 170, 255, 245, 52, 351, 277 and 370,

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 12th day of March, 1885, at 1:25 o'clock p. m., presented

House Bill Nos. 347, 314, 393, 176, 395, 376, 162, 138, 369, 15, 247 and 367,

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 11th day of March, 1885, at 5:30 o'clock p. m., presented

House Bill Nos. 338, 320, 47, 227, 315, 349 and 239,

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 12th day of March, 1885, at 4:40 o'clock p. m., presented

House Bill Nos. 309 and 394,

To His Excellency the Governor for his signature and approval.

V. V. BARNES,
Chairman.

MR. SPEAKER:

Your Judiciary committee having under consideration Council Bill No. 311,

Would respectfully report that they recommend several amendments herewith submitted to said bill and that the bill as amended do pass, being an act to define the boundaries of the Fifth Judicial District and for fixing term of court therein.

E. W. MARTIN,
Chairman.

Mr. Johnson moved

To amend by striking out the names of W. S. Wells and V. E. Prentice.

Mr. Barnes moved

As a substitute motion to refer the resolution for further consideration to General orders.

Which motion prevailed.

WHEREAS, By the recent fire which destroyed the printing establishment of M. H. Jewell, a considerable amount of printing belonging to the territory of Dakota was lost, to wit: The 250 copies of the House Journal being reserved to be bound at the end of the session.

Therefore be it

Resolved, That said Journal of House be reprinted, and that a bill covering cost of same be audited by the Chief Clerk of the House and Secretary of the Territory and paid by the Territorial Auditor.

Mr. Parshall moved

The adoption of the resolution,

Which motion prevailed.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 12, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bills Nos. 329, 47, 320, 388, 385, 366, 308, 92, 365, 186, 209, 204, 253, 155, 255, 260, 179, 360, 286, 370, 105, 349, 351, 241, 350, 315, 239, 52, 305, 227 and 224.

Also,

Have approved

House Bills Nos. 225, 170, 198 and 277.

GILBERT A. PIERCE,
Governor.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER:

I transmit herewith the following

House Bills Nos. 402, 395, 394 (with amendments), 382, 380, 347, 117, 269 and 235,

All of which the Council have this day passed, and a concurrence with the amendments is respectfully requested.

Also,

I return herewith

Council substitute for

House Bills Nos. 44, 223 (with amendments), 254, 324, 333, 384, 397, 403, 404, 405, 407, 408, 409 and 414 (with amendments,

All of which the Council have this day passed and a concurrence with the amendments is respectfully requested.

Also,

I return herewith

House Bills Nos. 257, 289, 359, 381, 310 and 399,

Which the Council has this day passed.

Also,

I transmit herewith substitute for

Council Bills Nos. 94, 186 336, 339, 342, 335 and 341,

All of which the Council have passed and your concurrence is respectfully requested.

Also,

I return herewith the following House Bills which the Council has this day passed:

House Bills Nos. 230, 361 with amendments; 386, Council substitute for 389, and House Bill 420,

And a concurrence with these amendments and substitute is respectfully requested.

A. W. HOWARD,
Chief Clerk.

MR. SPEAKER:

I have the honor to inform you that the Council has this day refused to concur in the House amendment to

Council Bill No. 329. A bill for an act to repeal section 2 of chapter 35 of the Session Laws of 1883, and that a conference committee, consisting of Messrs. McLaughlin, Washabaugh and Nickeus,

Has been appointed to act with a like committee on the part of the House.

Very respectfully,
A. W. HOWARD,
Chief Clerk.

The Speaker appointed Messrs. McCumber, Martin and Pickler.

MR. SPEAKER:

I am requested to inform the House that the Council has declined to concur in the House amendment to

Council Bill No. 311. A bill for an act defining the Fifth Judicial District, and fixing the time for holding court therein, and that a committee of the Council consisting of Messrs. Natwick ———

Have been appointed to act with a like committee from the House.

Very respectfully,
A. W. HOWARD,
Chief Clerk.

The speaker appointed Messrs. Pickler, Huntington and DeWoody as such committee.

MR. SPEAKER:

I have the honor to inform you that the Council has this day declined to concur in House amendment to

Council Bill No. 190. A bill for an act to amend the Fargo charter, and have appointed as conference committees Messrs. Twomey, Austin and Pettigrew to act with a like committee on the part of the House.

Very respectfullv,
A. W. HOWARD,
Chief Clerk.

SECOND READING OF HOUSE BILLS.

House Bill No. 421. Introduced by Mr. Johnson. A bill for an act entitled an act to incorporate the city of Groton, Dakota Territory,

Was read the first and second time, and referred to the committee on Towns and Cities.

House Bill No. 422. Introduced by Mr. Hobart. A bill for an act to amend the charter of the village of Egan,

Was read the first and second time and referred to the committee on Towns and Cities.

Mr. Ruger moved
To reconsider the vote by which
Council Bill No. 222
Was passed.

Call of the House demanded.

Mr. DeWoody moved
To lay the motion on the table.

The ayes and nays demanded.

The roll being called there were 23 votes in the affirmative and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, McCall, Morgan, McHugh, Oliver, Pugh, Roach, Steele, Stevens, Scott, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Helvig, Larson, Myron, Miller, Martin, Parshall, Pickler, Runkle, Riddell, Ruger, Southwick, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdell, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Langan, McCumber, Pierce.

Mr. Dawson being excused.

So the motion to lay on the table prevailed.

Mr. Morgan moved that
Council Bill No. 294,
Be taken from the General Orders,
Which motion prevailed.

Council Bill No. 311,
Was referred to Messrs. Huntington, DeWoody and Blakemore.

The Speaker announced his signature to
Council Bills Nos. 179, 317, 286, 305, and
House Bills Nos. 347, 314, 393, 176, 395, 376, 162, 138, 369, 15, 247, 367 and 290.

Mr. Blakemore moved
To indefinitely postpone
House Bill No. 354.
Yeas and nays were demanded.

The roll being called, there were 14 votes in the affirmative, and 26 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Hutchinson, McCumber, Morgan, McHugh, Pickler, Runkle, Riddell, Stevens, Smith, Stewart, Stong, Williams.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Oliver, Parshall, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Huntington, Johnson, Langan, Pugh, Ward of Brule.

Messrs. Dawson and Pierce being excused.

And so the motion was lost.

Mr. Van Osdel moved
To indefinitely postpone.
The ayes and nays demanded.
The roll being called, there were 25 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Blakemore, Clark, Gregg, Huston, Hobart, Helvig, Larson, Myron, Miller, Martin, McCall, Oliver, Parshall, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:
Messrs. Bayard, Coe, DeWoody, Eldredge, Huntington, Hutchinson, McCumber, Morgan, McHugh, Pickler, Runkle, Riddell, Stevens, Smith, Stewart, Stong.

Absent and not voting:
Messrs. Barnes, Johnson, Langan, Pugh, Ward of Brule.

Messrs. Pierce and Dawson being excused.

So the motion prevailed.

Mr. Williams moved
The adoption of the amendments to
Council Bill No. 318,
Which motion prevailed.

The House concurred in amendments to
House Bill No. 394.

Mr. Oliver moved
That the chair appoint a Conference committee of three on
Council Bill No. 190,
The chair appointed Messrs. Oliver, Coe and Morgan as such committee.

Mr. Larson moved
To lay substitute for
Council Bill No. 44
On the table,
Which motion prevailed.

Mr. Barnes moved
To concur in Council amendments to

House Bill No. 223
Which motion prevailed.
Mr. Smith moved
To concur in Council amendment to
House Bill No. 414,
Which motion prevailed.
The Speaker announced his signature to
Council Bills Nos. 332, 199, 231, 247, 198, 271 and 307.

Also,
House Bills Nos. 402, 141, 269, 222, 382, 309, 233, 394, 117, 174, 380 and 378.

Also,
Council Bills Nos. 249, 51. 299, 304, 21, 195, 262, 194 and 333.

Also,
House Bills Nos. 183, 139, 282, 304, 261, 375 and 299.

Mr. Barnes moved
To suspend the rules, and
Refer back to the order of business reports of committees to receive a minority report of the committee on Railroads in relation to
House Bill No. 401.

The ayes and nays were demanded.

The roll being called, there were 24 votes in the affirmative, and 15 votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Eldredge, Gregg, Helvig, Larson, Langan, Myron, Miller, McCumber, Morgan, Parshall, Pickler, Runkle, Riddell, Southwick, Swanton, Smith, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:
Messrs. Clark, DeWoody, Huntington, Huston, Hobart, Hutchinson, Johnson, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stong, Williams.
Absent and not voting:
Messrs. Blakemore, Coe, Dawson, Martin, McCall, Pierce, Stevens, Sprague, Ward of Brule.
So the motion was lost.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a committee of the Whole, for

The consideration of the General Orders with Mr. Johnson in the chair.

When the committee rose the following report was made.

MR. SPEAKER:

Your committee of the Whole House have considered
House Bill No. 182,
And recommend the adoption of a substitute bill as amended and that said substitute bill as amended do pass.

Also,
House Bill 418,
And recommend that further consideration be considered at 10 o'clock a. m., to-morrow.

Also,
Council Bill No. 223,
And recommend that when the committee arise they recommend the passage of this bill.

Also,
House Bill No. 410,
And recommend that it be indefinitely postponed.

Also,
House Bill No. 83,
And recommend that it be indefinitely postponed.
Also,
House Bill 220
And recommend that the bill do pass as amended.
Also,
House Bill 213
And recommend the indefinite postponement of the bill.

GEO. H. JOHNSON,
Chairman.

Mr. Martin moved
The report be adopted.
Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 423. A bill for an act to amend chapter 79 of the session laws of 1883, entitled an act to amend section 13, chapter 2, of the Political code
Was read the third time and placed upon its final passage.
The roll being called, there were 24 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Hutchinson, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Southwick, Swanton, Sprague, Stebbins, Scott, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Larson, Van Osdel.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Langan, Morgan, McHugh, Pierce, Runkle, Ruger, Steele, Stevens, Smith, Stewart, Stong, Ward of Turner.

So the bill passed and its title was agreed to.

House Bill No. 424. A bill for an act for a Joint Resolution appropriating funds to pay Arthur Linn, council clerk, for 1874 and 1875

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Miller, Martin, McCall, Parshall, Pickler, Riddell, Roach, Ruger, Steele, Southwick, Smith, Sprague, Stebbins, Scott, Stewart, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Runkle, Swanton, Van Osdel, Ward of Turner

Absent and not voting:

Messrs. Barnes, Eldredge, Gregg, Johnson, Langan, Myron, McCumber, Morgan, McHugh, Oliver, Pugh, Stevens, Stong.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 420. A bill for an act to provide a charter for the City of Pembina.

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Hobart, Helvig, Johnson, Langan, Morgan, Oliver, Pierce, Pugh, Runkle, Van Osdel, Ward of Brule.

Mr. Dawson being excused.

So the bill passed and its title was agreed to.

House Bill No. 426. A bill for an act providing extra compensation for clerks and subordinate officers of the Council and House

Was read the third time and put upon its final passage.

The roll being called, there were 41 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, Eldredge, Miller, Swanton, Van Osdel.

Mr. Pierce being excused.

So the bill passed and its title was agreed to.

House Bill No. 339. A bill for an act authorizing the city of Bismark to issue bonds

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, DeWoody, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pugh, Runkle, Ruger, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huston, Hutchinson, Riddell, Swanton, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Eldredge, Oliver, Parshall, Pierce, Roach, Riddell, Steele.

So the bill passed and its title was agreed to.

House Bill No. 270. A bill for an act authorizing the city of Bismarck to issue bonds for the purpose of retiring bonds heretofore issued,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Gregg, Huston, Hobart, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, DeWoody, Eldredge, Huntington, Helvig, Johnson, Oliver, Pierce, Pugh, Southwick, Stebbins, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 422. A bill for an act to amend the charter of the village of Egan,

Was read the third time and put upon its final passage.

The roll being called there were 36 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Gregg, Oliver, Runkle, Southwick.

Absent and not voting:
Messrs. Blakemore, Dawson, Eldredge, Huntington, Johnson, Morgan, Pierce, Ruger.

So the bill passed and its title was agreed to.

House Bill No. 398. A bill for an act to amend section 14 of an act entitled an act to incorporate the city of Hillsboro, Traill county, Dakota,

Was read the third time and put upon its final passage.

The roll being called there were 37 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Oliver and Van Osdel.

Absent and not voting.
Messrs. Barnes, Blakemore, Dawson, Huntington, Johnson, Langan, Pierce, Ruger, Smith.

So the bill passed and its title was agreed to.

House Bill No. 421. A bill for an act incorporating the city of Groton,

Was read the third time and put upon its final passage.

The roll being called there were 36 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens. Smith, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. DeWoody, Helvig, Van Osdel.

Absent and not voting:

Messrs. Blakemore, Dawson, Johnson, Langan, Parshall, Pierce, Swanton, Sprague, Williams.

So the bill passed and its title was agreed to.

FIRST READING OF COUNCIL BILLS.

Council Bill No. 320. A bill for an act to create and define the boundaries of the county of Stanton and for other purposes.

Was read the first time.

Council Bill No. 339. A bill for an act to amend the charter of the city of Ashton, Dakota.

Was read the first time.

Council Bill No. 321. A bill for an act granting authority to the Board of County Commissioners of Eddy county to issue bonds to meet the current expenses of said county, and to furnish its county officers, as required by law.

Was read the first time.

Council Bill No. 336. A bill for an act to amend chapter 27, of the laws of 1879, relating to judicial subdivision

Was read the first time.

Council Bill No. 342. A bill for an act to amend section 14, chapter 30, Political code

Was read the first time.

Substitute for

Council Bill No. 186. A bill for an act appropriating money to pay for fuel used in heating the capitol building

Was read the first time.

Council Bill No. 322. A bill for an act to define the powers of the Presbytery of South Dakota

Was read the first time.

Council Bill No. 324. A bill for an act to amend an act to incorporate the city of Chamberlain

Was read the first time.

Council Bill No. 316. A bill for an act to incorporate the village of Volga, Brookings county, D. T.,

Was read the first time.

Council Bill No. 330. A bill for an act in relation to the United States government bridge across Choteau creek, and to the government roads in the counties of Charles Mix and Bon Homme

Was read the first time.

Council Bill No. 337. A memorial to Congress in regard to educating Indian children within the territory

Was read the first time.

Council Bill No. 333. A bill for an act to provide for the taking of the census of the territory of Dakota

Was read the first and second times and on motion was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, Parshall, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule. Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Hobart, Langan, McCumber, McHugh, Oliver, Pickler, Pierce, Ruger, Steele, Scott, Stong.

So the bill passed and its title was agreed to.

Council Bill No. 295. A bill for an act to vacate certain town plats and additions,

Was read the first time

Substitute for

Council Bill No. 221. A bill for an act in relation to vacation of town plats,

Was read the first time.

Council Bill No. 323. A bill for an act amending an act to incorporate the city of Mitchell, passed by the Fifteenth Legislative Assembly,

Was read the first time.

Council Bill No. 287. A bill for an act to amend section 7 of chapter 63 of the Laws of 1881, entitled an act for the protection and encouragement of sheep husbandry and to provide a bounty for wolf scalps,

Was read the first time.

Council Bill No. 325. A bill for an act to vacate certain portions of the city of Canton, Lincoln county, Dakota,

Was read the first time.

Council Bill No. 335. A bill for an act to provide for the incorporation and regulation of Building and Loan Associations,

Was read the first time.

Substitute for
Council Bill No. 339. A bill for an act appropriating funds for the payment of the Postmaster of Council and Clerk of Committee on Counties,
Was read the first time.

SECOND READING OF COUNCIL BILLS.

Council Bill No. 320.
Was read the second time and referred to the Committee on Counties.

Council Bill No 339.
Was read the second time and referred to the committee on Towns and Cities.

Council Bill No. 321.
Was read the second time and referred to the Committee on Counties.

Council Bill No. 336.
Was read the second time and referred to the Committee on Judiciary.

Council Bill No. 342.
Was read the second time and referred to the Committee on Appropriation.

Council Bill No. 186.
Was read the second time and referred to the Committee on Appropriation.

Council Bill No. 322.
Was read the second time and referred to the Committee on Judiciary.

Council Bill No. 324.
Was read the second time and referred to the committee on Towns and Cities.

Council Bill No. 316.
Was read the second time and referred to the committee on Towns and Cities.

Council Bill No. 330.
Was read the second time and referred to the committee on Highways.

Council Bill No. 337.
Was read the second time and referred to the committee on Territorial Affairs.

Council Bill No. 333.

Was read the second time and

On motion,

Was read the third time and put upon its final passage.

Council Bill No. 295

Was read the second time and referred to the committee on Towns and Cities.

Substitute for

Council Bill No. 221

Was read the second time and referred to the committee on Towns and Cities.

Council Bill No. 323

Was read the second time and referred to the committee on Towns and Cities.

Council Bill No. 287

Was read the second time and referred to the committee on Territorial Affairs.

Council Bill No. 325

Was read the second time and referred to the committee on Towns and Cities.

Council Bill No. 335

Was read the second time and referred to the committee on Judiciary.

Substitute for

Council Bill No. 339

Was read the second time and referred to the committee on Appropriations.

THIRD READING OF COUNCIL BILLS.

Substitute for

Council Bill No. 262. A bill for an act to amend section 402 and 515 of the Civil code,

Was read the first, second and third times and put upon its final passage.

The roll being called there were 22 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Huntington, Hutchinson, Larson, Martin, McCumber, Morgan, McHugh, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Swanton, Scott, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Langan, Smith, Sprague, Van Osdel.

Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Johnson, Myron, Miller, McCall, Oliver, Parshall, Pierce, Steele, Southwick, Stevens, Stebbins, Stewart, Stong, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 307. A bill for an act to create a joint school township in the counties of Griggs and Steele,

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Gregg, Hutchinson, Larson, Martin, McCumber, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Smith, Sprague, Stebbins, Scott, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Johnson, Langan, Myron, Miller, McCall, Morgan, Oliver, Pierce, Stevens, Swanton, Stewart, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 181. A bill for an act entitled an act to allow the Board of Supervisors of townships to issue bonds,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Gregg, Huntington, Hutchinson, Langan, Myron, McCall, Morgan, McHugh, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huston, Hobart, Helvig.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Eldredge, Johnson, Larson, Miller, Martin McCumber, Oliver, Parshall, Pierce, Pugh, Southwick, Stevens, Williams.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 186. A bill for an act appropriating money to pay for fuel used in heating the Capitol building

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Hutchinson, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pugh, Riddell, Roach, Steele, Sprague, Stebbins, Scott, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Parshall, Runkle, Swanton, Smith, Van Osdel.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Huston, Hobart, Helvig, Johnson, Larson, Langan, Myron, Miller, McCumber, Pierce, Ruger, Southwick, Stevens, Stewart, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 304. A bill for an to vacate North Tyndall in the county of Bon Homme,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Martin, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Southwick, Stevens, Swanton, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Smith and Sprague.

Absent and not voting:

Messrs Barnes, Coe, DeWoody, Miller, McCall, McCumber, Oliver, Pierce, Steele, Stebbins, Stewart.

Mr. Dawson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 189. A bill for an act to amend section 101 of the Code of Civil Procedure

Was read the third time and put upon its final passage.

The roll being called, there were 32 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Pickler, Pugh, Runkle, Roach, Ruger, Southwick, Stevens, Swanton, Stebbins, Scott, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Smith, Sprague, Van Osdel.

Absent and not voting:

Messrs. Coe, Huston, Morgan, McHugh, Oliver, Parshall, Riddell, Steele, Stewart, Stong, Ward of Turner.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 249. A bill for an act to create a new subdivision of the Third Judicial District

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Runkle, Riddell, Ruger, Southwick, Stevens, Swanton, Sprague, Stebbins, Scott, Ward of Turner, Williams, Mr. Speaker.

Mr. Smith, voting in the negative.

Absent and not voting:

Messrs. Gregg, Huston, Langan, Oliver, Pugh, Roach, Steele, Stewart, Stong, Van Osdel, Ward of Brule.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 221. A bill for an act authorizing the formation of county mutual insurance companies

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Eldredge, Gregg, Huntington, Huston, Hutchinson, Larson, Langan, Myron, McCall, McCumber, Parshall, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Clark, Coe, DeWoody, Hobart, Helvig, Johnson, Miller, Martin, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Ruger, Steele, Stong, Ward of Brule.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 195. A bill for an act fixing the fees of sheriffs and other officers for transporting insane and convicts to the asylum and penitentiary

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Pickler, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Clark, Coe, Gregg, Huston, Langan, Morgan, McHugh, Oliver, Parshall, Runkle, Riddell, Scott, Stong, Ward of Brule.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Substitute for
Council Bill No. 271. A bill for an act to make the office of auditors for Spink, Stutsman, Barnes, Morton, Burleigh, Nelson, Brookings and Miner counties,

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, De Woody, Eldredge, Huntington, Hutchinson, Larson, Myron, Miller, McCall, Morgan, McHugh, Pickler, Runkle, Roach, Ruger, Steele,Southwick, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Gregg, Huston, Hobart, Helvig, Johnson, Langan, Martin, McCumber, Oliver, Parshall, Pierce, Pugh, Riddell, Stevens, Swanton, Stebbins, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 231. A bill for an act to authorize the directors of the penitentiary at Sioux Falls to make a contract with the United States for the care of the United States prisoners, and to rent the United States wing to said penitentiary

Was read the third time and put upon its final passage.

The roll being called there were 21 votes in the affirmative and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Eldredge, Gregg, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Runkle, Riddell, Steele, Swanton, Smith, Sprague, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Huston, Hutchinson, Langan, McHugh, Oliver, Roach, Ruger, Stebbins, Scott, Stong, Ward of Brule.

Absent and not voting:

Messrs. Barnes, Clark, Coe, Dawson, DeWoody, Hobart, Johnson, McCumber, Morgan, Pickler, Pierce, Pugh, Southwick, Stevens, Stewart.

So the bill passed and its title was agreed to.

Council Bill No. 299. A bill for an act to annex certain townships to the county of McHenry

Was read the third time and put upon its final passage.

The roll being called there were 25 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Larson, Langan, Morgan, McHugh, Runkle, Riddle, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner.

Mr. McCall voting in the negative.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Hobart, Helvig, Hutchinson, Johnson, Myron, Miller, Martin, McCumber, Oliver, Parshall, Pickler, Pierce, Pugh, Southwick, Swanton, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 194. A bill for an act fixing the fees for transporting convicts to the penitentiary,

Was read the third time and put upon its final passage.

The roll being called there were 31 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, DeWoody, Eldredge, Huntington, Larson, Myron, Miller, Martin, Morgan, McHugh, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, McCall, McCumber, Oliver, Parshall, Pierce, Stevens, Stewart, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 332. A bill for an act to repeal section 3 chapter 11 of the Laws of 1883, and to revise section 378 of the Code of Civil Procedure,

Was read the third time and put upon its final passage.

The roll being called, there were 24 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, Larson, Myron, McCumber, Morgan, McHugh, Pickler, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stewart, Stong, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, McCall, Van Osdel.

Absent and not voting:

Messrs. Barnes, Clark, Hobart, Helvig, Johnson, Langan, Miller, Martin, Oliver, Parshall, Pugh, Runkle, Ruger, Stebbins, Scott, Ward of Turner, Williams, Wardof Brule.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 51. A bill for an act to repeal chapter 60 and 108 of the laws of 1883, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Huntington, Huston, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, McHugh, Pickler, Riddell, Roach, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, DeWoody, Hobart, Helvig, Johnson, Langan, Morgan, Oliver, Parshall, Pugh, Runkle, Ruger, Van Osdel, Ward of Brule.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 311. A bill for an act defining the boundaries of the fifth Judicial District and fixing the time for holding court therein,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Parshall, Pickler, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Coe, Huntington, Huston, Hobart, Helvig, Johnson, Langan, Pierce, Pugh, Runkle, Ruger, Steele, Van Osdel, Ward ofTurner.

Mr. Dawson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 294. A bill for an act entitled an act to authorize a special election in the county of Steele,
Was read the third time and put upon its final passage.

The roll being called, there were 14 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Gregg, Martin, McCall, Morgan, McHugh, Pickler, Swanton, Smith, Sprague, Stewart, Stong, Ward of Turner.

Those who voted in the negative were:
Messrs. Blakemore, Clark, DeWoody, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Oliver, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stebbins, Scott, Mr. Speaker.

Absent and not voting:
Messrs. Coe, Huston, Johnson, Langan, McCumber, Parshall, Ruger, Stevens, Van Osdel, Williams, Ward of Brule,.
Messrs. Dawson and Pierce being excused.

So the bill was lost.

Council Bill No. 313. A bill for an act supplementary to an act supplementary to chapter 28 of the Poltical Code
Was read the third time and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Helvig, Hutchinson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, Runkle, Riddell, Roach, Steele, Swanton, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Absent and not voting:

Messrs. Barnes, DeWoody, Huntington, Huston, Hobart, Johnson, Myron, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Ruger, Southwick, Stevens, Smith, Sprague, Mr. Speaker.

Mr. Dawson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 285. A bill for an act creating a Judicial subdivision of the Second Judicial District and fixing time of holding court therein

Was read the third time and put upon its final passage.

The roll being called, there were 30 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, Morgan, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Wardof Brule.

Absent and not voting:

Messrs. Barnes, DeWoody, Huntington, Huston, Johnson, McCumber, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Runkle, Ruger, Southwick, Scott, Mr. Speaker.

Mr. Dawson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 318. A bill for an act to define the Sixth Judicial District and fixing the time for holding court therein

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Eldredge, Gregg, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, Morgan, Oliver, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams.

Absent and not voting:

Messrs. Barnes, Blakemore, DeWoody, Huntington, Huston, Johnson, Langan, McCumber, McHugh, Parshall, Pickler, Pierce, Pugh, Ruger, Steele, Van Osdel, Ward of Brule, Mr. Speaker.

Mr. Dawson being excused.

So the bill passed and its title was agreed to.

Council Bill No. 327. A bill for an act to legalize certain acts of the county commissioners of Spink county, Dakota,

Was read the third time, and put upon its final passage.

The roll being called, there were 26 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, DeWoody, Eldredge, Huntington, Hobart, Hutchinson, Larson, Myron, Miller, Martin, McCumber, Morgan, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg, Langan, McCall, Stebbins.

Absent and not voting:

Messrs. Barnes, Bayard, Coe, Dawson, Huston, Helvig, Johnson, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Ruger, Steele, Stong, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 315. A bill for an act to amend section 2, chapter 9, of the laws of 1883, entitled "Capital Punishment,"

Was read the third time and put upon its final passage.

The roll being called there were 18 votes in the affirmative and 13 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Hobart, Hutchinson, Martin, McCumber, Morgan, Riddell, Steele, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Johnson, Larson, Langan, Myron, McCall, Parshall, Runkle, Southwick, Swanton, Smith, Sprague, Stebbins, Scott.

Absent and not voting:

Messrs. Barnes, Bayard, Coe, Dawson, Huston, Helvig, Miller, McHugh, Oliver, Pickler, Pierce, Pugh, Roach, Ruger, Stevens, Stong, Van Osdel.

So the bill passed and its title was agreed to.

Council Bill No. 203. A bill for an act to amend an act entitled an act to create the office of District Attorney for the several counties of Dakota

Was read the third time and put upon its final passage.

The roll being called, there were 19 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, DeWoody, Eldredge, Hobart, Hutchinson, Johnson, Miller, McCall, McCumber, Morgan, Oliver, Pugh, Roach, Steele, Stevens, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huston, Helvig, Larson, Langan, Myron, Parshall, Runkle, Riddell, Ruger, Swanton, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Barnes, Bayard, Coe, Dawson, Gregg, Huntington, Martin, McHugh, Pickler, Pierce, Southwick, Scott, Stewart, Stong.

So the bill passed and its title was agreed to.

Council Bill No. 326. A bill for an act entitled an act to establish Independent School District No. 2 in Bon Homme county

Was read the third time and put upon its final passage.

The roll being called there were 36 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Smith voting in the negative.

Absent and not voting:

Messrs. Barnes, Bayard, Coe, Dawson, McHugh, Pickler, Pierce, Ruger, Southwick, Scott, Stong.

So the bill passed and its title was agreed to.

Council Bill No. 240. A bill for an act to authorize

Lawrence county to issue bonds for the purpose of purchasing a location and erecting a jail, etc.,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, Parshall, Pugh, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Hobart, Langan, McCumber, McHugh, Oliver, Pickler, Pierce, Ruger, Steele, Scott, Stong.

So the bill passed and its title was agreed to.

Council Bill No. 308. A bill for an act authorizing the county commissioners of Benson county to issue bonds to fund its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called there were 33 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, Morgan, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Sprague, Stebbins, Stewart, Williams, Ward of Brule, Mr. Speaker.

Mr. Smith voting in the negative.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Huston, Hobart, Langan, McCumber, McHugh, Parshall, Pierce, Scott, Stong, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 303. A bill for an act to provide a special election in the county of Rolette for the election of county officers and locating county seat,

Was read the third time and put upon its final passage.

The roll being called, there were 19 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Gregg, Huntington, Huston, Martin, McCall, McCumber, Parshall, Pickler, Riddell, Ruger, Southwick, Stevens, Stebbins, Stewart, Ward of Brule.

Those who voted in the negative were:

Messrs. Eldredge, Helvig, Hutchinson, Johnson, Larson, Myron, Morgan, Oliver, Pugh, Runkle, Roach, Swanton, Smith, Sprague, Van Osdel, Williams.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Hobart, Langan, Miller, McHugh, Pierce, Steele, Scott, Stong, Ward of Turner, Mr. Speaker.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 320. A bill for an act to create and define the boundaries of the county of Stanton, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called there were 21 votes in the affirmative and 7 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Coe, DeWoody, Eldredge, Huntington, Huston, Hutchinson, Johnson, Langan, Miller, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Stebbins, Stewart, Ward of Brule.

Those who voted in the negative were:

Messrs. Martin, Swanton, Smith, Sprague, Scott, Van Osdel, Williams.

Absent and not voting:

Messrs. Barnes, Clark, Dawson, Gregg, Hobart, Helvig, Larson, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Pierce, Runkle, Ruger, Stong, Ward of Turner, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 130. A bill for an act dividing the county of Traill into county commissioners districts

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, DeWoody, Eldredge, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, Pickler, Pugh, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg and McCall.

Absent and not voting:

Messrs. Clark, Dawson, Hobart, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Runkle, Ruger, Swanton, Stong.

So the bill passed and its title was agreed to.

Council Bill No. 334. A bill for an act to amend chapter 45, laws of 1883, empowering school townships to issue their bonds for building school houses,

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Parshall, Runkle, Riddell, Roach, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, Huston, Myron, Morgan, McHugh, Oliver, Pickler, Pierce, Pugh, Ruger, Steele, Swanton, Stong.

So the bill passed and its title was agreed to.

Council Bill No. 330. A bill for an act in relation to the United States government bridge across Choteau creek, and to the government roads in the counties of Charles Mix and Bon Homme

Was read the third time and put upon its final passage.

The roll being called there were 36 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Huntington, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Steele, Southwick, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Hobart voting in the negative.

Absent and not voting.

Messrs. Barnes, Coe, Dawson, Gregg, Morgan, McHugh, Pierce, Runkle, Ruger, Stevens, Swanton.

So the bill passed and its title was agreed to.

Council Bill No. 296. A bill for an act establishing Independent school district No. 1, of Hntchinson county,

Was read the third time and put upon its final passage.

The roll being called there were 33 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, McCall, McCumber, Morgan, Pickler, Pugh, Riddell, Roach, Southwick, Stevens. Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Mr. Langan voting in the negative.

Absent and not voting:

Messrs. Barnes, Dawson, Johnson, Miller, Martin, McHugh, Oliver, Parshall, Pierce, Runkle, Ruger, Steele, Smith, Van Osdel.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 221. A bill for an act in relation to vacation of town plats,

Was read the third time and put upon its final passage.

The roll being called there were 33 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Myron, Miller, McCall, McCumber, Morgan, Pickler, Runkle, Riddell, Roach, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott. Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs Barnes, Coe, Dawson, DeWoody, Johnson, Larson, Langan, Martin, McHugh, Oliver, Parshall, Pierce, Pugh, Ruger, Stevens.

So the bill passed and its title was agreed to.

Council Bill No. 325. A bill for an act to vacate certain portions of the city of Canton, Lincoln county, Dakota,

Was read the third time and put upon its final passage.

The roll being called there were 28 votes in the affirmative and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Hutchinson, Johnson, Larson, Miller, Martin, McCall, Pickler, Pugh, Runkle, Riddle, Roach, Swanton, Smith, Sprague, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Mr. Myron voting in the negative.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Huston, Hobart, Helvig, Langan, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Ruger, Steele, Southwick, Stevens, Stebbins, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

Council Bill No. 295. A bill for an act to vacate certain town plats and additions,

Was read the third time and placed upon its final passage.

The roll being called there were 29 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin McCall, Pickler, Pugh, Runkle, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Mr. Huston voting in the negative.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Hobart, Langan, McCumber, Morgan, McHugh, Oliver, Parshall, Pierce, Ruger, Steele, Southwick, Scott, Van Osdel, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 316. A bill for an act to incorporate the village of Volga, Brookings county, D. T.,

Was read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler. Pugh, Runkle, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Eldredge, Huntington, Langan, Morgan, McHugh, Oliver, Pierce, Riddell, Ruger, Southwick, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 287. A bill for an act to amend section 7 of chapter 63 of the Laws of 1881, entitled an act for the protection and encouragement of sheep husbandry and to provide a bounty for wolf scalps,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCall, McCumber, McHugh, Parshall, Pickler, Pugh, Riddell, Steele, Southwick, Stevens, Smith, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Gregg, Huston, Morgan, Oliver, Runkle, Roach, Ruger, Swanton, Sprague, Stong, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, DeWoody, Eldredge, Huntington, Johnson, Pierce.

So the bill passed and its title was agreed to.

Council Bill No. 343. A bill for an act amending the charter of the city of Ashton

Was read the third time and put upon its final passage.

The roll being called, there were 28 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Coe, Huston, Helvig, Hutchinson, Larson, Langan, Myron, Miller. Martin, McCumber, McHugh, Parshall, Pickler, Pugh, Riddell, Roach; Ruger, Steele, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Clark, Gregg, McCall, Morgan, Oliver, Runkle, Southwick, Stebbins, Van Osdel, Ward of Brule.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson DeWoody, Eldredge, Huntington, Hobart, Johnson, Pierce.

So the bill passed and its title was agreed to.

Council Bill No. 321. A bill for an act granting authority to the board of county commissioners of Eddy county to issue bonds to meet the current expenses of said county, etc.

Was read the third time and put upon its final passage.

The roll being called, there were 35 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Gregg, Oliver, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, DeWoody, Eldredge, Huntington, Johnson, McCall, Pierce, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 289. A bill for an act to repeal section 64, 65, 66, 67 and 68 of chapter 112 of the session laws of 1883

Was read the third time and put upon its final passage.

The roll being called, there were 24 votes in the affirmative, and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Gregg, Hutchinson, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pugh, Riddell, Roach, Ruger, Steele, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Hobart, Helvig, Larson, Langan, Myron, Oliver, Parshall, Pickler, Runkle, Southwick, Stevens, Swanton, Stebbins, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, DeWoody, Eldredge, Huntington, Huston, Johnson, Pierce, Wardof Brule.

So the bill passed and its title was agreed to.

Council Bill No. 336. A bill for an act to amend chapter 27 of the laws of 1879 relating to judicial subdivisions

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, Eldredge, Gregg, Hobart, Hutchinson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Pugh, Riddell, Roach, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, DeWoody, Huntington, Huston, Helvig, Johnson, Larson, Oliver, Parshall, Runkle, Van Osdel.

Absent and not voting:

Messrs. Blakemore, Dawson, Langan, Pierce, Ruger, Southwick, Stevens, Stong, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 342. A bill for an act to amend section 14, chapter 30, Political code

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative, and 11 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, Gregg, Huston, Hobart, Hutchinson, Morgan, McHugh, Pickler, Pugh, Riddell, Roach, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. DeWoody, Eldredge, Helvig, Larson, Myron, Martin, McCall, Runkle, Southwick, Swanton, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Huntington, Johnson, Langan, Miller, McCumber, Oliver, Parshall, Pierce, Ruger.

So the bill passed and its title was agreed to.

Substitute for
Council Bill No. 339. A bill for an act appropriating funds for the payment of the Postmaster of Council and Clerk of Committee on Counties,

Was read the third time and put upon its final passage.

The roll being called, there were 37 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Southwick and Swanton.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Johnson, Langan, Oliver, Pierce, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 341. A bill for an act to amend Council Bill No. 244,

That certain townships shall assume the bonded indebtedness as if they were still in Burleigh county

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pugh, Runkle, Riddell, Steele, Stevens, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Huston, Hobart, Langan, McHugh, Pierce, Roach, Ruger, Southwick, Swanton, Sprague, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

Substitute for

Council Bill No. 186. A bill for an act appropriating money to pay for fuel used in heating the capitol building

Was read the third time and put upon its final passage.

The roll being called, there were 25 votes in the affirmative, and 13 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Gregg, Huston, Johnson, Langan, Martin, McCall, McCumber, Oliver, Pickler, Pugh, Riddell, Roach, Steele, Stevens, Swanton, Stebbins, Scott, Stewart, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Huntington, Helvig, Larson, Myron, Miller, Morgan, Parshall, Runkle, Smith, Sprague, Stong, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Eldredge, Hobart, Hutchinson, McHugh, Pierce, Ruger, Southwick.

So the bill passed and its title was agreed to.

Council Bill No. 210. A bill for an act to issue bonds to build a court house and jail in Brown county,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, Eldredge, Gregg, Huntington, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Ruger, Southwick, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, DeWoody, Runkle.

Absent and not voting:

Messrs. Blakemore, Dawson, Huston, Hobart, Langan, McHugh, Pierce, Steele, Stevens, Swanton, Smith, Sprague, Stewart, Williams.

So the bill passed and its title was agreed to.

Mr. Rice offered as an amendment to

House Bill No. 425,

To strike out the word "six" and insert the word "four," amend section 4 by adding after the word "McCook" the word "Hanson," and amend section 6 by striking out the word "Hanson" where it occurs in said section, "and they shall be entitled to one member of the Council and three members of the House."

Ayes and nays demanded.

The roll being called, there were 25 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, McCumber, Oliver, Parshall, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Coe, Gregg, Helvig, Larson, Myron, Miller, Martin, Morgan, Pickler, Riddell, Smith, Sprague.

Absent and not voting:

Messrs. Barnes, Langan, McCall, McHugh, Runkle, Swanton, Scott, Van Osdel, Ward of Turner.

Messrs. Dawson and Pierce being excused.

And so the amendment was carried.

Mr. Swanton moved

To strike out the word "Turner" in section 2 and insert the word "Hutchinson."

Mr. Langan moved
To lay the bill on the table,
Which motion prevailed.

House Bill No. 425. A bill for an act entitled an act to amend chapter 7 of the session laws of 1883
The roll being called on the passage of the bill as
Was read the third time and put upon its final passage.
amended, there were 25 votes in the affirmative and 16 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huntington, Hobart, Myron, McCumber, Oliver, Parshall, Pickler, Pugh, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Stebbins, Stewart, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Miller, Martin, McCall, Morgan, Swanton, Smith, Sprague, Stong, VanOsdel, Ward of Turner.

Absent and not voting:
Messrs. Barnes, Langan, McHugh, Runkle, Scott.

Messrs. Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Mr. Rice moved that
House Bill No. 425
Be referred to the committee on engrossment to be engrossed.

Mr. Williams moved
That the House take a recess for one hour.

The ayes and nays were demanded.

The roll being called, there were 26 votes in the affirmative, and 16 votes in the negative, viz:
Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Johnson, Larson, Langan, Miller, Martin, McCall, McCumber, Morgan, Oliver, Riddell, Roach, Southwick, Stevens, Smith, Sprague, Stebbins, Ward of Turner, Williams, Ward of Brule.
Those who voted in the negative were:

Messrs. Blakemore, Huntington, Hobart, Huston, Helvig, Hutchinson, Myron, Parshall, Pickler, Pugh, Ruger, Steele, Swanton, Stewart, Van Osdel, Mr. Speaker.

Absent and not voting:
Messrs. McHugh, Runkle, Scott, Stong.

Messrs. Dawson and Pierce being excused.

Which motion prevailed.

The Speaker announced his signature to
House Bills Nos. 324, 287, 404, 254 and 337.

It was moved that the rules be suspended and that the House return to first reading of House Bills and continue through the order.

Mr. Pickler moved
As a substitute
To consider messages from the Council.

Ayes and nays demanded.
The roll being called there were 22 votes in the affirmative and 21 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Gregg, Huntington, Huston, Hobart, Helvig, Johnson, Langan, Myron, Miller, McCumber, Morgan, McHugh, Pickler, Steele, Stevens, Swanton, Williams. Ward of Brule, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Hutchinson, Larson, Martin, McCall, Parshall. Pugh, Runkle, Riddell, Roach, Ruger, Souhwick, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner.

Absent and not voting:
Messrs. Blakemore, Dawson, Eldredge, Oliver, Pierce.
So the motion was lost.

Mr. DeWoody moved
To consider messages from Council.
Which motion prevailed.
The House concurred in
Council amemdment to
House Bill No. 361.
And the House adopted
Council substitute for
House Bill No. 389.
Mr. McCumber moved
To suspend the rules,

Read the bill the second and third times and place the bill on its final passage.

Which motion prevailed.

House Bill No. 389. A bill for an act creating and defining a subdivision of the Third Judicial District and fixing a time and place for holding a term of court, therein,

Was read the third time and put upon its final passage.

The roll being called, there were 33 votes in the affirmative, and 5 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, DeWoody, Gregg, Huston, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin McCumber, Morgan, McHugh, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Huntington, Hobart, Parshall, Swanton, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, Eldredge, McCall, Oliver, Pierce, Ruger, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Martin moved

To suspend the rules

And take up reports of Standing committees and continue through to the order

Which motion was lost.

Mr. Johnson moved

To suspend the rules

And receive the report of the committee on Ways and Means,

Which motion prevailed.

Mr. Smith moved

To suspend the rules and read

House Bill No. 322,

The third time and put upon its final passage,

Which motion prevailed.

The roll being called, there were 28 votes in the affirmative and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Gregg, Huston, Hobart, Helvig, Hutchinson, Myron, Miller, Martin, McCall, McCumber, Parshall, Pickler, Pugh, Runkle, Riddell, Roach, Southwick, Smith, Sprague, Stebbins, Scott, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Larson, Morgan, McHugh, Oliver, Ruger, Steele, Swanton, Stewart, Stong.

Absent and not voting:

Messrs. Blakemore, Dawson, DeWoody, Eldredge, Huntington, Johnson, Langan, Pierce, Stevens, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Southwick was granted unanimous consent and introduced

Joint Resolution No. 427,

Granting pay to newspapers,

Which was read the first and second times and referred to the Committee on Appropriation.

Mr. Pickler moved

That the General Appropriation bill be taken up the first in the morning,

Which motion prevailed.

Mr. Barnes moved

To suspend the rules and take up

House Bill No. 401,

The ayes and nays were demanded.

The roll being called there were 19 votes in the affirmative and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Eldredge, Helvig, Larson, Myron, Miller, McCumber, Parshall, Pickler, Riddell, Southwick, Swanton, Smith, Stebbins, Scott, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Gregg, Huntington, Huston, Hutchinson, Johnson, Martin, McCall, Morgan, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Sprague, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Dawson, Hobart, Langan, McHugh, Oliver, Pierce, Stewart.

So the motion was lost.

On motion the House adjourned.

CASSIUS M. REED,
Chief Clerk.

SIXTIETH DAY.

BISMARCK, Friday, March 13, 1885.

The House assembled at 10 o'clock a. m., pursuant to adjournment,

The Speaker presiding.

Prayer by the Chaplain.

Roll called.

Messrs. Dawson and Pierce excused by reason of illness.

The Speaker announced his signature to

Council Bills Nos. 318, 325, 308, 130, 326, 295, 181, 320, 327, 334, 181, 330, 315, 285, 313.

Also,

House Bills Nos. 333, 407, 143, 417, 409 and 397.

Also,

Council Bills Nos. 240, 203, 311, 303, 221 and 309.

Also,

Council Bill No. 296,

Also,

House Bills Nos. 359, 386, 381, 399, 398, 424 and 426.

Mr. Blakemore was called to the chair.

Call of the House demanded.

All the members being present,

The call was dispensed with.

House Bill No. 427. A bill for a joint resolution to pay newspaper reporters,

On motion of Mr. Van Osdel,

Was indefinitely postponed.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 13, 1885.

MR. SPEAKER:

Your committee on Ways and Means having

Council Bill No. 94,

Under consideration,

Beg leave to report the same back to the House without recommendation.

HUGH LANGAN,
Chairman.

Mr. Blakemore moved

To indefinitely postpone the consideration of the bill,

Which motion prevailed.

MR. SPEAKER:

Your committee on Counties, to whom was referred

Council Bill No. 306. A bill for an act to incorporate the city of Northwood, Dakota,

Respectfully report the same back with an amendment, and recommend the same do pass as amended.

M. L. MILLER,
Chairman.

Mr. Roach moved

The adoption of the amendment,

Which motion prevailed,

MR. SPEAKER:

Your committee on Ways and Means to whom was referred

Council Bill No. 297,

Beg leave to report the same back and recommend its passage.

Also,

Council Bill No. 331. A bill for an act to legalize the assessment of taxes in Roberts county for the year 1883,

Beg leave to report the same back to this House and recommend the passage of same.

Also,

Council Bill No. 298,

Beg leave to report same back to House and recommend that the same do pass.

HUGH LANGAN,
Chairman.

MR. SPEAKER:

Your committee on Engrossment and Enrollment to whom was referred

House Bill No. 340

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 179, 298 and 420

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 289, 363, 384 and 423

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill Nos. 342 and 423

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 398, 424, 426, 396 and 379.

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 398, 424 and 426.

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 230, 257, 284, 361, 335, 205, 405, 223, 310 and 235.

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 397, 414 and 409.

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 399, 408, 327, 389 and 302,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 403,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 381, 386 and 359,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bills Nos. 333, 407 and 143,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

Beg leave to report that we have the 6th day of March, 1885, at 4 o'clock p. m., presented

House Bills Nos. 97, 142, 167 and 248

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 6 o'clock p. m., presented

House Bills Nos. 379 and 396

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 10:30 o'clock a. m., presented

House Bills Nos. 407, 333 and 143,

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 10 o'clock a. m., presented

House Bill 290

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 11 o'clock a. m., presented

House Bills Nos. 397, 414, 409, 254, 287, 404, 324, 337, 386, 381 and 359

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 1:30 o'clock p. m., presented

House Bills Nos. 257, 230, 408, 335, 223, 284, 235, 302, 389, 205, 310, 361, 405 and 327

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 1:35 o'clock p. m., presented

House Bill No. 399

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 4 o'clock p. m., presented

House Bill Nos. 289, 403, 288, 363 and 384

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 4:40 o'clock p. m., presented

House Bills Nos. 342 and 423

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 4:30 o'clock p. m., presented

House Bills Nos. 420, 179, 340 and 298

To His Excellency the Governor for his signature and approval.

Also,

Beg leave to report that we have this 13th day of March, 1885, at 11 o'clock a. m., presented

House Bills 397, 414, 409 and 254

To His Excellency the Governor for his signature and approval.

V. V. BARNES,
Chairman.

REPORTS OF SPECIAL COMMITTEES.

BISMARCK, March 13, 1885.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 324. A bill for an act amending an act to incorporate the city of Chamberlain, passed by the fifteenth Legislative Assembly,

Have had the same under consideration and recommend that it do pass.

J. C. SOUTHWICK,
P. L. RUNKLE,
W. F. STEELE,
H. M. CLARK,
F. A. ELDREDGE,
E. T. HUTCHINSON.

MR. SPEAKER:

Your committee to whom was referred

Council Bill No. 323. A bill for an act amending an act to incorporate the city of Mitchell, passed by the Fourteenth Legislative Assembly,

Have had the same under consideration and recommend that it do pass by amending so that one-third of the license money be paid into the county fund.

J. C. SOUTHWICK,
W. F. STEELE,
H. M. CLARK,
F. A. ELDREDGE,
P. L. RUNKLE,
E. T. HUTCHINSON.

Mr. Parshall moved

The adoption of the amendment,

Which motion prevailed.

MR. SPEAKER:

Your conference committee having had under consideration the House amendments to

Council Bill No. 190,

Would respectfully recommend that the House do not recede from its amendments.

H. L. OLIVER,
H. W. COE,
C. W. MORGAN,

MOTIONS AND RESOLUTIONS.

Mr. Johnson offered the following resolution:

Resolved, By the House of Representatives of the Legislative Assembly of Dakota, sixteenth session,

That the thanks of this House as a body and its members individually are hereby voted to the ladies of the city of Bismarck, for the beautiful decorations of this building, and that the daily papers of this city are requested to make our thanks public.

Which resolution was adopted.

NORTHWOOD, March 7, 1885.

To the Legislature of the Territory of Dakota, now in session at Bismarck:

We, the undersigned residents and tax-payers of the village of Northwood, Grand Forks county, Territory of Dakota, having heard with astonishment the rumor that a movement is now on foot to have the Legislature now in session, pass a bill to grant Northwood a charter as a city, do hereby protest against such legislation and earnestly petition your honorable body to refuse to pass the bill mentioned, as it is entirely against the wishes of the people of Northwood, with only three or four exceptions, who are interested in town lots. Outside of the three, Messrs. Hougan Bros.—who own the town site, and Mr. J. B. Edwards—who was sent by them to Bismarck to have the bill presented—no one here was aware of the movement. There are now only eight families living in the village, and altogether not over twenty or thirty persons who are residents.

ANDREW JENSEN, and others.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 13, 1885.

MR. SPEAKER:

I return herewith

House Bill No. 425. A bill for an act to amend chapter 7 session laws of 1883, which the Council has passed with amendments, as indicated therein, and to which the concurrence of your honorable body is respectfully requested.

Also,

I have the honor to inform the house that the Council has adopted the following resolution, to wit:

Resolved, By the Council and House of Representatives that the President of the Council and the Speaker of the House of Representatives, be authorized to close the present session of the 16th Legislative Assembly by adjourning their respective Houses on this the 13th day of March, 1885, at 10 o'clock p. m.

Very respectfully,

A. W. HOWARD,
Chief Clerk.

Mr. Oliver moved

To lay the resolution on the table.

The ayes and nays were demanded.

The roll being called, there were 31 votes in the affirmative and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, DeWoody, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, Martin, McCall, McCumber, McHugh, Oliver, Runkle, Riddell, Ruger, Southwick, Stevens, Smith, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Parshall, Pickler, Swanton,

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Johnson, Langan, Miller, Morgan, Pierce, Pugh, Roach, Steele, Sprague, Ward of Brule.

So the motion to lay on the table prevailed.

MR. SPEAKER:

I return herewith

House Bill No. 398. A bill for an act to amend section 14 of an act entitled an act to incorporate the city of Hillsboro, Traill county, Dakota,

Also,

House Bill No. 424. A joint resolution to provide compensation to the chief clerk of the Legislative Assembly of 1874-5.

Also,

House Bill No. 419. A bill for an act amending an act incorporating the City of Bismarck.

Approved February 14, 1885.

Also,

House Bill No. 396. A bill for an act to provide for the disposal, preservation and safe-keeping of the territorial exhibit of Dakota at the World's Fair at New Orleans.

Also,

House Bill No. 379. A bill for an act to provide a standard of weights and measures for the Territory.

Also,

House Bill No. 426. A bill for an act authorizing the payment of certain sums to the clerks and subordinate officers of the sixteenth session of the Legislative Assembly of Dakota, which the Council has amended by adding an amendment as indicated in the bill,

And to which your concurrence is respectfully requested.

MR. SPEAKER:

I herewith tansmit

Council Bills Nos. 346 and 347.

Also,

Return

House Bill No. 423. A bill for an act to amend chapter 79 of session laws of 1883,

Which the Council has passed without amendments.

Also,

Transmit herewith

Council Bill No. 344. A bill for an act to vacate certain portions of Cooper's addition to the city of Grafton, Walsh county. Dakota, and for other purposes,

Which the Council has passed and your concurrence is respectfully requested.

Also,

I herewith transmit

Council Bill No. 345. A bill for an act to provide for payment of clerical work in the executive office,

Which the Council has this day passed and ask your concurrence to the same.

Also,

I am requested to inform the House that the Council has this day appointed a second conference committee to act with a like committee on the part of the House on

Council Bill No. 190,

Known as the Fargo charter,

In place of the conference committee of yesterday which failed to agree, and that Messrs. Twomey, Gamble and Petigrew have been appointed as said committee.

Also,

I transmit herewith

House Bill No. 298. A bill for an act providing for the erection of a court house and jail for Hyde county,

Which the Council has this day passed.

Also,

I am requested to inform the House that the conference committee appointed on

Council Bill No. 329. A bill for an act to repeal section 2 of chapter 35 of the session laws of 1883,

Have agreed to amend the title of said bill,

Which is herewith returned and a concurrence in the amendment is respectfully requested.

A. W. HOWARD,
Chief Clerk.

EXECUTIVE COMMUNICATIONS.

EXECUTIVE OFFICE, BISMARCK, March 13, 1885.

To the Speaker of the House of Representatives:

I have the honor to inform the House that I have approved

House Bills Nos. 174, 402, 382, 378, 369, 38, 138, 395, 269, 117, 394, 261, 162, 15, 376, 233, 304, 375, 139, 314, 367, 364, 380, 141, 247, 222 and 393.

GILBERT A. PIERCE,
Governor.

Also,

House Bills Nos. 47, 361, 378, 382, 393, 162, 369, 222, 247, 139, 141, 15, 314, 380, 367, 304, 375, 233, 174, 376, 235, 223, 284, 405, 335, 298, 337, 257 and 143.

GILBERT A. PIERCE,
Governor.

EXECUTIVE OFFICE, BISMARCK, Dak., March. 13, 1885.

To the Speaker of the House of Representatives:

I herewith return

House Bill No. 71,

With my objections to its becoming a law:

A measnre of this kind demands careful and candid consideration, both because of its importance and because of the acknowledged sincerity and high character of those who favor it. There are certain reasons, however, why I cannot approve such a measure at this time and other reasons why I cannot approve this particular bill.

It is desirable, in my judgment, that we act so far as possible as if we were governed, restrained and guided by a constitution adopted by ourselves.

If we had a constitution modeled after the states an extraordinary proposition like this would be submitted to the people. If Congress thinks woman suffrage wise, it has the power to establish it. It is unfair to shift the responsponsibility on the Territories and then hold them responsible for alleged imprudent legislation.

I am assured the enactment of this law will delay our claims to statehood, and at so critical a period it is better that no pretext whatever be given for such postponement.

It is doubted by many, if a majority of the women of Dakota want the franchise. The point is made, and a very good one, that the fact that one woman does not want a right, is not a justifiable reason for refusing it to another who does. Yet it must not be forgotten that the enfranchisement of women confers not only a privilege, but a grave burden and responsibility. We condem the man who neglects to vote, as recreant to his duty. If women are enfranchised, the right conferred becomes an obligation as imperious to them as to men; as binding on those who oppose as those who favor this act. I think the women of Dakota should have a voice in determining whether they should assume this burden or not.

So much for the general proposition.

There are two other features of this bill which I can scarcely think satisfactory to the advocates of woman suffrage themselves. I am surprised that they should appear in a measure claiming to advance the rights of women. If the vote of women is needed anywhere it is in our cities. In many existing city charters a distinct clause appears providing that males alone shall possess the qualifications of electors. In this bill the word male is only stricken out of one chapter of the Code, leaving the disability still standing against hundreds of women equally entitled to recognition.

The women of Sioux Falls, the women of Mitchell, the women of Brookings, the women of Chamberlain, of Watertown and a great many of the most important cities in Southern Dakota, would be disqualified from voting under these special enactments, even though this bill became a law. At this very session charters have been created with that provision retained and they would make this bill abortive and largely inoperative.

A still more objectionable feature and one deliberately inserted, is the clause debarring women from the right to hold office. If the word "male" had been stricken out of the Code and no other action taken they would have been eligible, and I believe there is a wide feeling that many offices, particularly those connected with penal and benevolent institutions, could be most appropriately filled with women. But this clause practically forbids their appointment. If women are good enough to vote, they are good enough to be voted for. If they are qualified to choose officials, they are qualified to be chosen.

I do not say that I would approve this measure were it otherwise worded, but I certainly would not endorse a bill which thus keeps the word of promise to the ear and breaks it to the hope; which deliberately and avowedly debars and disqualifies women while assuming to exalt and honor them.

These objections are apart from the abstract right of women to the ballot, but they show how necessary it is to approach such a subject with deliberation.

If women are to be enfranchised let it be done, not as a thirty days wonder, but as a merited reform, resulting from mature reflection, approved by the public conscience and sanctioned by the enlightened judgment of the people.

GILBERT A. PIERCE,
Governor.

The question being:

Shall the bill pass, the Governor's veto to the contrary notwithstanding.

The roll being called, there were 19 votes in the affirmative and 26 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Coe, Gregg, Huntington, Huston, Langan, Miller, McCall, Morgan, Parshall, Pickler, Riddell, Roach, Smith, Sprague, Scott, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, DeWoody, Eldredge, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCumber, McHugh, Oliver, Pugh, Runkle, Ruger, Steele, Southwick, Stevens, Swanton, Stebbins, Stong, Van Osdel, Williams, Ward of Brule, Mr. Speaker.

Mr. Stewart being absent.

Messrs. Dawson and Pierce being excused.

So the veto was sustained.

The Speaker (Mr. Blakemore) ruled that

House Bill No. 182,

Not having been properly read the first and second times, cannot be read the third time without a suspension of the rules.

Mr. Barnes appealed

From the decision of the chair.

Ayes and nays demanded.

The roll being called there were 26 votes in the affirmative and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Sprague, Stewart, Stong, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Helvig, Larson, Myron, Miller, McCumber, Parshall, Runkle, Riddell, Southwick, Swanton, Smith, Stebbins, Scott, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Bayard, Blakemore, Dawson, Langan, Pierce, Mr. Speaker.

So the decision of the chair was sustained.

Mr. Steele moved

To go into a committee of the Whole for the consideration of the Appropriation Bill.

Mr. Barnes moved

To proceed with the consideration of

House Bill No. 182.

Motion ruled out of order.

Mr. Barnes appealed

From the decision of the chair.

The ayes and nays were demanded.

The roll being called, there were 29 votes in the affirmative, and 17 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, Martin, McCall, Morgan, McHugh, Oliver, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Sprague, Scott, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Helvig, Larson, Myron, Miller, McCumber, Parshall, Runkle, Riddell, Southwick, Swanton, Smith, Stebbins, Stewart, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Blakemore, Dawson, Pierce.

So the decision of the chair was sustained.

The ayes and nays were demanded

On motion to go into committee of the Whole.

The roll being called, there were 27 votes in the affirmative, and 15 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Gregg, Huntington, Hobart, Johnson, Langan, Miller, Martin, McCall, McCumber, Oliver, Parshall, Pickler, Pugh, Riddell, Steele, Southwick, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, Coe, Huston, Helvig, Hutchinson, Larson, Myron, Morgan, McHugh, Runkle, Roach, Ruger, Stevens, Williams, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Dawson, DeWoody, Eldredge, Pierce, Stong.

So the motion prevailed.

COMMITTEE OF THE WHOLE.

The House then resolved itself into a
Committee of the Whole, for the consideration of the
Appropriation Bill,
With Mr. Blakemore in the chair.

When the committee rose the chairman made the following report:

MR. SPEAKER:

You committee of the Whole House have considered
Substitute for
Council Bills Nos. 14, 58, 67 and 69,
Appropriating funds for the support of the Penal, Charitable and Educational Institutions of the Territory, and
Recommend the passage of the bill as amended by the committee on Appropriations, and that the amendments relating to the opening of the Bismarck penitentiary and the maintenance of the same proposed by a majority of the committee on Appropriations
Be adopted, viz.:

Sections 10 and 11, and that said sections 10 and 11 as amended by the committee
Be adopted.

Also,
Further recommend that the provision for non-insurance of the Territorial buildings
Be stricken out.

Also,

That section 7 as originally made,
Be adopted without amendments, and
That the appropriation to pay Thomas Hennesey, for plumbing, be made section 18 of the bill.

JOHN T. BLAKEMORE,
Chairman.

The Speaker announced his signature to
Council Bills Nos. 331. 210, 339, 343, 342, 321, 336, 341,

Also,
House Bills Nos. 230, 257, 361, 284, 335, 205, 405, 223, 235, 310, 389, 302, 327, 408 and 399.

Also,
House Bills Nos. 403, 298, 379 and 396.

The House concurred in Council amendments to
House Bill No. 425.

Mr. Pickler moved
To adopt the report of the committee,
Which motion prevailed.

Call of the House demanded.

On motion
Proceedings under the call were dispensed with.

The House concurred in Council amendments to
House Bills Nos. 426, 342, 423 and 340.

The House concurred in Council amendments to
House Bill No. 419.

Mr. Oliver made report of conference committee on
Council Bill No. 190,
And moved the appointment of Messrs. Oliver, Coe and McHugh as such committee,
Which motion prevailed.

The speaker announced his signature to
House Bill No. 403.
Also,
Council Bill Nos. 297, 289, 186, 287 and 324.
Also,
Council Bills Nos. 316 and 298.
Also,
House Bills Nos. 288, 384, 363, 403 and 289.

THIRD READING OF HOUSE BILLS.

House Bill No. 298. A bill for an act providing for the erection of a court house and jail in Hyde county

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Miller, Martin, McHugh, Parshall, Pugh, Runkle, Riddell, Roach, Steele, Southwick, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Gregg, Huntington, Huston, Johnson, McCall, McCumber, Morgan, Oliver, Pickler, Pierce, Ruger, Stevens, Sprague, Van Osdel.

So the bill passed and its title was agreed to.

House Bill No. 429. A bill for an act providing that Winona county shall assume its proportion of the indebtedness of Emmons county

Was read the third time and put upon its final passage.

The roll being called, there were 20 votes in the affirmative, and 12 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Gregg, Huntington, Hutchinson, McCumber, Morgan, McHugh, Oliver, Runkle, Riddell, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Mr. Speaker.

Those who voted in the negative were:

Messrs. Eldredge, Huston, Hobart, Larson, Langan. Myron, Martin McCall, Parshall, Swanton, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Helvig, Johnson, Miller, Pickler, Pierce, Pugh, Roach, Ruger, Steele, Southwick, Stevens, Williams, Ward of Brule.

So the bill passed and its title was agreed to.

House Bill No. 428. A bill for an act to amend an act entitled an act to amend the charter of the city of Bismarck

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Clark, Coe, DeWoody, Huntington, Huston, Hobart, Helvig, Larson, Myron, McCall, McCumber, Morgan, McHugh, Parshall, Southwick, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Mr. Gregg voting in the negative.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Eldredge, Hutchinson, Johnson, Langan, Miller, Martin, Oliver, Pickler, Pierce, Pugh, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Smith, Ward of Brule.

So the bill passed and its title was agreed to.

THIRD READING OF COUNCIL BILLS.

Council Bill No. 347. A bill for an act to amend an act authorizing the county of Roberts to fund its outstanding indebtedness

Was read the third time and put upon its final passage.

The roll being called, there were 26 votes in the affirmative, and 1 vote in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Huston, Hutchinson, Myron, McCall, Morgan, McHugh, Pickler, Runkle, Riddell, Roach, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Mr. Van Osdel voting in the negative.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Gregg, Huntington, Hobart, Helvig, Johnson, Larson, Langan, Miller, Martin, McCumber, Oliver, Parshall, Pierce, Pugh, Ruger, Steele, Scott, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 345. A bill for an act to provide for payment of clerical work in the executive office,

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Eldredge, Gregg, Huston, Helvig, Johnson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Parshall, Riddell, Roach, Ruger, Steele, Southwick, Swanton, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Pickler, Runkle, Smith.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Huntington, Hobart, Hutchinson, Larson, McCall, Oliver, Pierce, Pugh, Stevens, Van Osdel, Ward of Turner, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 344. A bill for an act to vacate certain portions of certain additions to the city of Grafton, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Huntington, Huston, Hobart, Hutchinson, Johnson, Langan, Myron, Martin, McCumber, Morgan. McHugh, Oliver, Pickler, Pugh, Runkle, Riddell, Southwick, Stevens, Smith, Sprague, Stebbins, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Gregg, Helvig, Larson, Miller, McCall, Parshall, Pierce, Roach, Ruger, Steele, Swanton, Scott, Stong, Ward of Brule.

So the bill passed and its title was agreed to.

Council Bill No. 346. A bill for an act to amend chapter 44 of the Session Laws of 1883, entitled Education,

Was read the third time and put upon its final passage.

The roll being called, there were 31 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Huston, Hutchinson, Myron, Martin, McCall, Morgan, McHugh, Parshall, Pickler, Runkle, Riddell, Ruger, Steele, Southwick, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Huntington, Oliver, Van Osdel.

Absent and not voting:

Messrs. Barnes, Dawson, Gregg, Hobart, Helvig, Johnson, Larson, Langan, Miller, McCumber, Pierce, Pugh, Roach, Ward of Brule.

So the bill passed and its title was agreed to.

Substitute for

Council Bills Nos. 14, 58, 67 and 69. A bill for an act making appropriations for the maintenance of the Charitable, Penal and Educational Institutions of the Territory of Dakota, and for other purposes,

Was read the third time and put upon its final passage.

The roll being called, there were 34 votes in the affirmative and 9 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, Oliver, Pickler, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Langan, McHugh, Parshall, Runkle, Riddell, Southwick, Smith, Stewart, Van Osdel.

Absent and not voting:

Messrs. Swanton and Sprague.

Messrs. Barnes, Dawson and Pierce being excused.

So the bill passed and its title was agreed to.

Council Bill No. 298. A bill for an act to authorize the Board of County Commissioners of Davison county to fund its outstanding indebtedness,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Miller, McCumber, Morgan, Runkle, Riddell, Roach, Steele, Swanton, Smith, Sprague, Stebbins, Scott, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Eldredge, Langan, Myron, Martin, McCall, McHugh, Oliver, Parshall, Pickler, Pierce, Pugh, Ruger, Southwick, Stevens, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

So the bill passed and its title was agreed to.

Council ill No. 306. A bill for an act to incorporate the city of Northwood, Grand Forks county

Was read the third time and put upon its final passage.

The roll being called, there were 11 votes in the affirmative, and 18 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Eldredge, Huntington, Hutchinson, Johnson, McCumber, McHugh, Pugh, Riddell, Scott, Stewart, Ward of Brule.

Those who voted in the negative were:

Messrs. Blakemore, Hobart, Larson, Langan, Miller, Martin, Parshall, Runkle, Roach, Southwick, Swanton, Smith, Sprague, Stebbins, Stong, VanOsdel, Ward of Turner, Williams.

Absent and not voting:

Messrs. Barnes, Bayard, Clark, Coe, Dawson DeWoody, Gregg, Huston, Helvig, Myron, McCall, Morgan, Oliver, Pickler, Pierce, Ruger, Steele, Stevens, Mr. Speaker.

So the bill was lost.

Council Bill No. 297. A bill for an act authorizing the board of county commissioners of Bon Homme county to fund its outstanding indebtedness

Was read the third time and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Martin, McCumber, Morgan, Parshall, Pugh, Runkle, Riddell, Roach, Swanton, Stebbins, Scott, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Bayard, Dawson, DeWoody, Larson, Myron, Miller, McCall, McHugh, Oliver, Pickler, Pierce, Ruger, Steele, Southwick, Stevens, Smith, Sprague, Stewart.

So the bill passed and its title was agreed to.

Council Bill No. 331. A bill for an act to legalize the assessment of taxes in Roberts county for the year 1883,

Was read the third time and put upon its final passage.

The roll being called there were 25 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, Eldredge, Huntington, Hobart, Helvig, Hutchinson, Johnson, Langan, Miller, Martin, Morgan, McHugh, Parshall, Pugh, Runkle, Riddell, Roach, Steele, Swanton, Stebbins, Scott, Stong, Williams, Ward of Brule.

Messrs. Coe and Van Osdel voting in the negative.

Absent and not voting:

Messrs. Barnes, Bayard, Dawson, DeWoody, Gregg, Huston, Larson, Myron, McCall, McCumber, Oliver, Pickler, Pierce, Ruger, Southwick, Stevens, Smith Sprague, Stewart, Ward of Turner, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 335. A bill for an act to provide for the incorporation and regulation of building and loan associations,

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative, and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, Eldredge, Gregg, Huntington, Hobart, Helvig, Hutchinson, Johnson, Larson, Miller, McCumber, Morgan, Parshall, Runkle, Riddell, Roach, Southwick, Sprague, Stebbins, Scott, Stong, Ward of Turner, Williams, Ward of Brule.

Messrs. Swanton and Van Osdel voting in the negative.

Absent and not voting:

Messrs. Barnes, Dawson, DeWoody, Huston, Langan, Myron, Martin, McCall, McHugh, Oliver, Pickler, Pierce, Pugh, Ruger, Steele, Stevens, Smith, Stewart, Mr. Speaker.

So the bill passed and its title was agreed to.

Council Bill No. 323. A bill for an act amending the charter of the city of Mitchell, D. T.,

Was read the third time and put upon its final passage.

The roll being called there were 27 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore. Clark, Gregg, Huntington, Hobart, Helvig, Hutchinson, Langan, Myron, Martin, McCall, McCumber, McHugh, Parshall, Pugh, Riddell, Roach, Steele, Swanton, Smith, Sprague, Stebbins, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, DeWoody, Eldredge, Huston, Johnson, Larson, Miller, Morgan, Oliver, Pickler, Pierce, Runkle, Ruger, Southwick, Stevens, Scott, Stong, Van Osdel, Williams.

So the bill passed and its title was agreed to.

Council Bill No. 324. A bill for an act to amend an act to incorporate the city of Chamberlain

Was read the third time and put upon its final passage.

The roll being called, there were 27 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, DeWoody, Eldredge, Gregg, Hobart, Helvig, Larson, Langan, Myron, McCall, Parshall, Pugh, Runkle, Riddell, Roach, Steele, Swanton, Smith, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Coe, Dawson, Huntington, Huston, Hutchinson, Johnson, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Pickler, Pierce, Ruger, Southwick, Stevens, Sprague, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 13, 1885.

MR. SPEAKER:

I am requested to inform the House that the Council has declined to concur in the House amennments to

Substitute for

Council Bill No. 57,

Known as the Appropriation bill, and that a conference committee consisting of Messrs. Pettigrew, Austin and Gamble has been appointed to act with a like committee on the part of the House.

Also,

I return herewith

House Bills Nos. 422, 339, 415, 134, 270 and 40.

All of which the Council has passed.

Also,

I return herewith

House Bill No. 428. A bill for an act supplemental to an act approved March 13, 1885, entitled an act to incorporate the city of Bismarck,

Which the Council has this day passed without amendments.

A. W. HOWARD,
Chief Clerk.

EVENING SESSION.

The following message was received from the Council:

BISMARCK, March 13, 1885.

MR. SPEAKER:

I transmit herewith

Council Bill No. 178. A bill for an act to amend section 553 of the Code of Criminal Procedure of the Territory of Dakota,

Which has passed both the Council and House, and

Being vetoed by the Governor, has this day passed the Council, the Governor's veto to the contrary notwithstanding.

I do also transmit the Governor's message relating to the same.

Very Respectfully,
A. W. HOWARD,
Chief Clerk.

On the question shall Council Bill No. 178. pass, the Governor's veto to the contrary notwithstanding.

The roll being called there were 32 votes in the affirmative and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Miller, Martin, McCumber, Morgan, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Myron, Stewart.

Absent and not voting:

Messrs. Dawson, Johnson, Larson, Langan, McCall, McHugh, Parshall, Pierce, Ruger, Steele, Southwick, Stong, Mr. Speaker.

So the bill passed, the Governor's objections to the contrary notwithstanding.

Call of the House demanded.

On motion the proceedings under the call were dispensed with,

Which motion prevailed.

Mr. Martin moved
To reconsider the vote by which
Council Bill No 294.
Was lost,
Which motion prevailed.

Council Bill No. 294. A bill for an act entitled an act to authorize a special election in the county of Steele,

Was then read the third time and put upon its final passage.

The roll being called there were 34 votes in the affirmative, and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Helvig, Larson, Myron, Miller, Martin, McCumber, Morgan, Oliver, Pickler, Pugh, Runkle, Riddell, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, Hobart, Hutchinson, Johnson, McCall, McHugh, Parshall, Pierce, Roach, Southwick, Scott, Stewart, Swanton, Stong.

So the bill passed and its title was agreed to.

House Bill No. 430. A bill for an act providing for compensation of certain persons,

Was read the third time and placed upon its final passage.

The roll being called there were 37 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Langan, Myron, Miller, Martin, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Riddell, Roach, Steele, Stevens, Sprague, Stebbins, Scott, Stewart. Stong, Ward of Turner, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Barnes, Dawson, Larson, McCall, Parshall, Pierce, Ruger, Southwick, Swanton, Smith, Van Osdel.

So the bill passed and its title was agreed to.

Mr. Williams withdrew his motion for a conference committee and moved that Messrs. Mark Ward, Oliver and Roach be appointed a conference committee.

Mr. Martin moved

To amend by substituting Messrs. Pickler and Williams and one to be appointed by the chair.

Ayes and nays demanded.

The roll being called, there were 19 votes in the affirmative and 23 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Blakemore, Eldredge, Gregg, Helvig, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Ruger, Steele, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule.

Absent and not voting:

Messrs. Barnes, Dawson, Pierce, Roach, Stebbins, Mr. Speaker.

So the substitute motion was lost.

Mr. Pickler moved
To lay the original motion on the table.

Call of the House demanded

Mr. Blakemore moved
To dispense with further proceedings under the call.

Which motion prevailed.

Mr. McCumber moved
The previons question.

The ayes and nays were demanded.

The roll being called, there were 30 votes in the affirmative, and 11 votes in the negative, viz:
Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:
Messrs. Bayard, Langan, Miller, Parshall, Pickler, Runkle, Riddell, Swanton, Sprague, Van Osdel.

Absent and not voting:

Messrs. Barnes, Blakemore, Dawson, Gregg, Pierce, Southwick, Smith, Mr. Speaker.

So the previous question was ordered.

The chair decided the question to be on Mr. Williams' motion.

Mr. Pickler appealed from the decision of the chair.

Ayes and nays demanded on the motion to lay on the table.

The roll being called, there were 10 votes in the affirmative and 30 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Miller, Martin, Pickler, Riddell, Swanton, Smith, Sprague, VanOsdel, Ward of Turner.

Those who voted in the negative were:

Messrs. Clark, Coe, DeWoody, Eldredge, Gregg, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule.

Absent and not voting:
Messrs. Barnes, Blakemore, Dawson, Langan, Parshall, Pierce, Southwick, Mr. Speaker.

So the motion was lost.

The ayes and nays demanded
On Mr. Williams' motion.

The roll being called there were 34 votes in the affirmative and 6 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Eldredge, Huntington, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Myron, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Roach, Ruger, Steele, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Williams, Ward of Brule.

Those who voted in the negative were:

Messrs. Bayard, Miller, Riddell, Southwick, Swanton, Smith.

Absent and not voting:
Messrs. Barnes, Blakemore, Dawson, Gregg, Langan, Parshall, Pierce, Mr. Speaker.

So the motion prevailed.

Mr. Pickler moved
To reconsider the vote by which the motion prevailed.

Mr. Williams moved
To lay the motion the table,
Which motion prevailed.

The chair announced the appointment of a conference committee, Ward of Brule, Oliver, and Roach.

Mr. Williams moved
That a recess of half an hour be taken,
Which motion prevailed.

The chair announced hissignature to
Council Bill No. 294,

Also,
House Bill No 425.

Also,

Council Bills Nos. 294, 347, 345 329, and 335.

Also,

House Bills Nos. 134, 415. 422, 339, 428 and 270.

Also,

Council Bills Nos. 323, 344 and 346.

Also,

House Bills Nos. 429, 430, 419, 40 and 421.

Mr. Martin moved that

All matter pertaining to the investigation of charges of bribery during this present session be expunged from the record.

The ayes and nays were demanded

On the motion.

The roll being called there were 10 votes in the affirmative and 24 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Gregg, Miller; Martin, Parshall, Pickler, Pugh, Smith, Sprague, Ward of Turner.

Those who voted in the negative were:

Messrs. Barnes, Clark, Coe, DeWoody, Huntington, Huston, Hobart, Helvig, Hutchinson, Larson, Myron, McCall, McCumber, Morgan, McHugh, Oliver, Roach, Ruger, Steele, Stevens, Scott, Stewart, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Eldredge, Johnson, Langan, Pierce, Runkle, Riddell, Southwick, Swanton, Stebbins, Stong, Van Osdel.

Messrs. Dawson and Williams being excused.

So the motion was lost.

Mr. Pickler moved that

The special committee to investigate the charges of bribery be discharged, and that the House take no further proceedings in the matter.

Which motion prevailed.

Mr. Williams moved that

A conference committee consisting of Messrs. McHugh, DeWoody and Pugh be appointed.

Mr. Pickler moved

As a substitute that the chair appoint a committee of three.

Mr. Williams moved
To lay the motion on the table.

The ayes and nays demanded.

Motion to lay resolution on the table.

The roll being called there were 20 votes in the affirmative, and 26 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Clark, Coe, DeWoody, Huntington, Hobart, Hutchinson, Miller, Martin, Morgan, Parshall, Pickler, Runkle, Riddell, Southwick, Stevens. Smith, Sprague, Stong, Van Osdel, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Eldredge, Gregg, Huston, Helvig, Johnson, Larson, Langan Myron, McCall, McCumber, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Swanton, Stebbins, Scott, Stewart, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, and Pierce.

So the bill was lost.

The ayes and nays were demanded
On substitute motion.

The roll being called, there were 23 votes in the affirmative, and 23 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Barnes, Bayard, Blakemore, Eldredge, Gregg, Hobart, Helvig, Larson, Langan, Myron, Miller, Martin, McCall, Parshall, Pickler, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Those who voted in the negative were:
Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Absent and not voting:
Messrs. Dawson and Pierce.

So the motion was lost.
Ayes and nays demanded
On the original motion.
The roll being called, there were 26 votes in the affirmative and 19 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, McCumber, Morgan, McHugh, Oliver, Pugh, Roach, Ruger, Steele, Stevens, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Eldredge, Gregg, Helvig, Miller, Martin, McCall, Parshall, Pickler, Runkle, Riddell, Southwick, Swanton, Smith, Sprague, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Dawson, Langan, Pierce.

So the motion prevailed.

Mr. Miller moved

To adjourn,

The ayes and nays were demanded

The roll being called, there were 11 votes in the affirmative, and 31 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. DeWoody, Eldredge, Gregg, Huntington, Miller, Morgan, McHugh, Swanton, Stong, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Coe, Huston, Helvig, Hutchinson. Johnson, Larson, Langan, Myron, Martin, McCall, McCumber, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:

Messrs. Dawson, Hobart, Oliver, Pierce, Pugh, Southwick.

So the motion was lost.

Mr. Coe moved

To take a recess for thirty minutes.

Mr. Pickler moved

To lay the motion on the table.

The ayes and nays were demanded.

The roll being called, there were 16 votes in the affirmative, and 22 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Clark, DeWoody, Eldredge, Gregg, Huston, Hutchinson, Miller, Martin, McCall, Pickler, Pugh, Roach, Steele, Sprague, Ward of Brule.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Helvig, Johnson, Larson, Langan. Myron, McCumber, Morgan, McHugh, Parshall, Runkle, Riddell, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Mr. Speaker.

Absent and not voting:

Messrs. Coe, Dawson, Huntington, Hobart, Oliver, Pierce, Stong, Ruger, Southwick, Williams.

So the motion was lost.

Call of the House demanded.

On motion further proceedings under the call were dispensed with.

Mr. Williams moved

The previons question.

Ayes and nays demanded.

The roll being called, there were 30 votes in the affirmative, and 14 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, Larson, Langan, Myron, Martin, McCumber, Morgan, McHugh, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Bayard, Blakemore, Eldredge, Gregg, Hobart, Helvig, Miller, Parshall, Pickler, Riddell, Swanton, Smith, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Dawson, McCall, Oliver, Pierce.

So the previous question was ordered.

Moved that the committee of Conference leave their difference to the Governor and abide by his decision on the General Appropriation bill.

It was moved to lay the motion on the table,

Which motion prevailed.

Moved to adjourn.

The ayes and nays demanded.

On motion to adjourn,

The roll being called there were 13 votes in the affirmative and 31 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Blakemore, Eldredge, Gregg, Langan, Miller, McCall, Morgan, Parshall, Pickler, Riddell, Swanton, Stebbins, Williams.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Clark, Coe, Dawson, Huntington, Huston, Hobart, Hutchinson, Johnson, Larson, Myron, Martin, McCumber, McHugh, Oliver, Pugh, Runkle, Roach, Ruger, Steele, Southwick, Stevens, Sprague, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting.

DeWoody, Helvig, Pierce, Smith.

So the motion was lost.

Mr. Steele moved that

A committee be appointed to wait on the Governor and inform him that the House has concluded its labors and ascertain if he has any other business to lay before the House.

Mr. Pickler moved

To lay the motion on the table.

Ayes and nays demanded on

Motion to lay on the table.

The roll being called, there were 21 votes in the affirmative, and 21 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Clark, Coe, DeWoody, Huntington, Huston, Hutchinson, Johnson, McCumber, Morgan, McHugh, Pugh, Roach, Ruger, Steele, Stevens, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Barnes, Bayard, Blakemore, Eldredge, Gregg, Helvig, Larson, Myron, Miller, Martin, McCall, Parshall, Pickler, Riddell, Southwick, Swanton, Smith, Sprague, Stebbins, Van Osdel, Ward of Turner.

Absent and not voting:

Messrs. Dawson, Hobart, Langan, Oliver, Pierce, Runkle.

So the motion was lost.

Call of the House demanded.

On motion further proceedings under the call were dispensed with.

Mr. Martin moved
To amend that the House take a recess for fifteen minutes.

Which amendment was adopted, and the original motion prevailed.

It was moved to adjourn.

Ayes and nays demanded.

The roll being called, there were 13 votes in the affirmative, and 29 votes in the negative, viz:

Those who voted in the affirmative were:
Messrs. Blakemore, Eldredge, Gregg, Huntington, Johnson, Miller, McCall, McHugh, Pickler, Roach, Swanton, Williams, Mr. Speaker.

Those who voted in the negative were:
Messrs. Barnes, Bayard, Clark, Coe, DeWoody, Huston, Hobart, Helvig, Hutchinson, Larson, Langan, Myron, Martin, McCumber, Morgan, Parshall, Pugh, Riddell, Ruger, Stevens, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Van Osdel, Ward of Turner, Ward of Brule.

Absent and not voting:
Messrs. Dawson, Oliver, Pierce, Runkle, Steele, Southwick,

And so the motion was lost.

Mr. Oliver introduced—
The following resolution:

Resolved, That we, the members of this House, extend to the Hon. George Rice our thanks for the able and impartial manner in which he has discharged his duties as speaker of this House.

Which resolution was unanimously adopted.
Mr. Steele moved
The clerk be instructed to inform the Council that the House had concluded its labors, and are now ready to adjourn without date,

Which motion prevailed.
Mr. Oliver moved
To take a recess for fifteen minutes,

Which motion prevailed.
Mr. McCumber moved

To suspend the rules and take up

House Bill No. 220.

Ayes and nays were demanded.

The roll being called, there were 23 votes in the affirmative, and 16 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Helvig, Larson, Langan, Myron, McCall, McCumber, Morgan, McHugh, Parshall, Runkle, Riddell, Stevens, Swanton, Smith, Stebbins, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Those who voted in the negative were:

Messrs. Clark, DeWoody, Eldredge, Gregg, Huntington, Huston, Hutchinson, Johnson, Miller, Martin, Pickler, Roach, Steele, Sprague, Stong, Ward of Brule.

Absent and not voting:

Messrs. Blakemore, Coe, Dawson, Hobart, Oliver, Pierce, Pugh, Ruger, Southwick.

There not being the two-thirds in favor of the motion was lost.

Mr. Barnes introduced—

House Bill No. 432. A bill for an act to provide for the maintenance of the public officers of the territory,

Which was read the first, second and third times.

Moved to lay the bill on the table.

Ayes and nays demanded.

The roll being called, there were 7 votes in the affirmative and 32 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Bayard, Gregg, Huntington, Hutchinson, Langan, Van Osdel, Williams.

Those who voted in the negative were:

Messrs. Barnes, Blakemore, Clark, Coe, Eldredge, Huston, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Absent and not voting:

Messrs. Dawson, DeWoody, McCumber, Morgan, McHugh, Pierce, Pugh, Ruger, Southwick.

So the motion was lost.

House Bill No. 432.

The roll being called upon the final passage of the bill, there were 32 votes in the affirmative and 2 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore. Clark, Coe, Eldredge, Gregg, Huston, Hobart, Helvig, Hutchinson, Johnson, Larson, Langan, Myron, Miller, Martin, Morgan, Oliver, Parshall, Pickler, Runkle, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Scott, Stewart, Stong, Ward of Turner, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Van Osdel and Williams.

Absent and not voting:

Messrs. Dawson, DeWoody, Huntington, McCall, McCumber, McHugh, Pierce, Pugh, Southwick, Stebbins.

So the bill passed and its title was agreed to.

Mr. Barnes moved
To suspend the rules and that
Substitute for
House Bill No. 401,
Be read the first, second and third times and put upon its final passage.

The speaker announced his signature to
House Bill No. 431.

Call of the House demanded.

Mr. Barnes moved
To suspend further proceedings under the call,
Which motion was lost.

Mr. Pickler moved that
Further proceedings under the call be dispensed with,

Ayes and nays demanded.

The roll being called, there were 30 votes in the affirmative, and 4 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, Eldredge, Gregg, Hobart, Helvig, Johnson, Larson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Oliver, Pickler, Pugh, Runkle, Roach, Ruger, Stevens, Smith, Sprague, Stebbins, Stewart, Stong, Van Osdel.

Those who voted in the negative were:

Messrs. Huntington, Huston, Steele, Williams.

Absent and not voting:

Messrs. Coe, Dawson, DeWoody, Hutchinson, Langan, Parshall, Pierce, Riddell, Southwick, Swanton, Scott, Ward of Turner, Ward of Brule, Mr. Speaker.

So the motion prevailed.

The committee on conference made the following report:

Your committee on conference, to whom was referred
Substitute for Council Bills Nos. 14, 58, 67 and 69,

Have had the same under consideration, and beg leave to submit the following report:

That the House recede from its amendments to the item in section 1 of the same in regard to the improvement of the hospital farm, and improving the hospital grounds, and in regard to building the ice house, extension of barn, slaughter house, root house, hen house, fitting basement for amusement of patients.

That the Council concur in House amendment in striking out item for sinking artesion well $5,000, and amend section 3 as follows:

The Council concur in the
House amendment to the item of $1,000, for contingent expenses.

That the Council concur in
House amendment in seventh line of section 4.

That the Council concur in
House amendment to section 5, in regard to the pay of officers, guards, overseers and watchman, and in regard to stables, teams and farming implements.

That the House recede from its amendments striking out the item in section 1 for the amount due contractors.

That the Council concur in
House amendment changing the reading of lines 13, 14, 15 and 16 in said section 5.

That ths Council concur in
House amendment to section 6, changing the item therein of fuel and lights from one to two thousand dollars.

That the Council concur in the
House amendment to section 8.

That the Council concur in the

House amendment to section 12.

That the Council concur in
House amendment to section 3, adding the item for domitories and water works.

That the Council concur in
House substitute for section 10.

That the Council concur in
House substitute for section 11.

With the following amendments: Strike out $2,000 in line three and insert $1,000.

Strike out $2,500 in line 4 and insert $1,500.
Strike out the item $4,500 in line 6, and the item $2,000 in line 7.

Strike out $5,000 in line 8 and insert $4,000.

Strike out in line 9 $2,000 and insert $1,500.

Amend line 20 by striking out $25,200 and insert $14,600 in lieu thereof.

That the Council concur in the
House amendment by inserting in said bill section 5.

Also,
By inserting section 16, 17 and 18 in said bill.

And making section 18 read as section 17.

P. McHugh.
Chairman.

Mr. Martin moved
That the report of the committee on amendments be adopted.

Which motion prevailed.

Mr. McCumber moved that the
House proceed to the consideration of the motion of the gentlemen from Kingsbury.
Mr. Steele moved the
House take a recess for 15 minutes,
Which motion prevailed.

MESSAGES FROM THE COUNCIL.

Bismarck, March 13, 1885.

Mr. Speaker:

I return herewith
House Bill No. 432. A bill for an act to provide for the maintenance of the public officers of the territory,

Which the Council has passed without amendment.

A. W. HOWARD,
Chief Clerk.

Mr. Williams moved

To reconsider the vote by which the House adopted the reports of the conference committee.

Mr. Martin moved

To lay the motion to reconsider on the table,

Which motion prevailed.

The Speaker announced his signature to

House Bill No. 432.

REPORTS OF STANDING COMMITTEES.

BISMARCK, March 13, 1885.

MR. SPEAKER:

Your committee on Engrossment and Enrollment beg leave to report that we have this 13th day of March, 1885, at 11:55 o'clock p. m., presented

House Bill No. 431,

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 10 o'clock p. m., presented

House Bills Nos. 428, 339, 422, 415, 134, and 270,

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 4:25 o'clock p. m., presented

House Bill No. 425

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 3 o'clock p. m., presented

House Bill No. 169,

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 11:45 o'clock p. m., presented

House Bill No. 419,

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 11:30 o'clock p. m., presented

Substitute for

House Bill No. 40,

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 11:45 o'clock p. m., presented

House Bill No. 44.

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 11 o'clock p. m., presented

House Bill No. 430.

To His Excellency the Governor for his signature and approval.

Also,

Have this 13th day of March, 1885, at 10:30 o'clock p. m., presented

House Bill 429,

To His Excellency the Governor for his signature and approval.

Also,

Your committee on Engrossment and Enrollment, to whom was referred

House Bill No. 431,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 429,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 430,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,

House Bill No. 421,

Beg leave to report the same back as correctly engrossed and enrolled.

Also,
Substitute for
House Bill No. 40,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bill No.419,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bill No. 40,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bill No. 169,
Beg leave to report the same back as correctly engrossed and enrolled.

Also,
House Bills Nos. 425, 270, 134, 415, 422, 339 and 428.
Beg leave to report the same back as correctly engrossed and enrolled.

V. V. BARNES,
Chairman.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 13, 1885.

MR. SPEAKER:

I return herewith
House Bill No. 431. A bill for an act entitled a joint resolution to provide $200 extra for the compensation of clerks,

Which the Council has passed without amendments.

Also,
I return herewith
House Bill No. 421. A bill for an act entitled an act to incorporate the city of Grafton, Dakota,

Which the Council have passed without amendments.

Also,

House Bill No. 430. A bill for an act providing for compensation for V. V. Barnes and Chas. Richardson for labor performed on the engrossment and enrollment of bills.

Also,

House Bill No. 429. A bill for an act providing for Winona county to assume a portion of the indebtedness of Emmons county.

A. W. HOWARD,
Chief Clerk.

House Bill No. 431,

Was read the first, second and third times and put upon its final passage.

The roll being called, there were 29 votes in the affirmative, and 3 votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Blakemore, Clark, DeWoody, Eldredge, Helvig, Larson, Myron, Martin, McCall, Morgan, McHugh, Pickler, Riddell, Roach, Ruger, Steele, Stevens, Swanton, Smith, Sprague, Stebbins, Scott, Stewart, Stong, Williams, Ward of Brule, Mr. Speaker.

Those who voted in the negative were:

Messrs. Gregg, Huntington, Hutchinson.

Absent and not voting:

Messrs. Coe, Dawson, Huston, Hobart, Johnson, Langan, Miller, McCumber, Oliver, Parshall, Pierce, Pugh, Runkle, Southwick, Van Osdel, Ward of Turner.

So the bill passed and its title was agreed to.

Substitute for

House Bill No. 40. A bill for an act concerning the proceedings brought in the Third Judicial District and transferred to the Sixth District,

Was read the third time and put upon its final passage.

The roll being called there were 28 votes in the affirmative and no votes in the negative, viz:

Those who voted in the affirmative were:

Messrs. Barnes, Bayard, Clark, Coe, Huntington, Huston, Hutchinson, Myron, Miller, Martin, McCall, McCumber, Morgan, McHugh, Pickler, Riddell, Roach, Ruger, Steele, Southwick, Stevens, Swanton, Scott, Stewart, Van Osdel, Ward of Turner, Williams, Mr. Speaker.

Absent and not voting:

Messrs. Blakemore, Dawson, DeWoody, Eldredge, Gregg, Hobart, Helvig, Johnson, Larson, Langan, Oliver, Parshall, Pierce, Pugh, Runkle, Smith Sprague, Stebbins, Stong, Ward of Brule.

So the bill passed and its title was agreed to.

EXECUTIVE COMMUNICATIONS.

MR. SPEAKER:

I have the honor to inform the House that I have approved

House Bills Nos. 399, 288, 359, 38, 386, 409, 287, 397, 254, 408, 403, 340, 230, 229, 302, 342, 407, 333, 423, 327, 424, 398, 324, 404, 426, 290, 310, 205, 379, 179, 363, 381, 420, 309, 289, 176, 338, 425, 372, 5, 183, 282, 362, 384, 299 and 422.

Also,

I have the honor to inform the House that I have approved

House Bills Nos. 415, 134, 339, 270, 428, 430, 429, 40, 419 and 421.

MR. SPEAKER:

I have the honor to inform the House that I have approved

House Bills Nos. 431, 389 and 432.

GILBERT A. PIERCE,
Governor.

The speaker announced his signature to

Substitutes for

Council Bills Nos. 14, 58, 67 and 69.

Mr. Barnes offered the following resolution, which was adopted:

Resolved, That the sincere thanks of this House are due and hereby tendered to the clerks of the House for the faithful and painstaking manner in which they have performed their several duties.

MESSAGES FROM THE COUNCIL.

BISMARCK, March 13, 1885.

MR. SPEAKER:

I have the honor to inform you that the Council has adopted the report to the conference committee on the

Substitute for

Council Bills Nos. 14, 58, 67 and 69, known as the appropriation bill.

Very respectfully,
A. W. HOWARD,
Chief Clerk.

Mr. Martin moved that the
House do now adjourn *sine die*.

The motion prevailed and the speaker announced that the House stood adjourned without day.

C. M. REED,
Chief Clerk.

INDEX.

BILLS OF THE HOUSE.

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
1	To purchase 40 copies of the Code for Legislative use	47	47	....	117	47	152	84,85,94,105
2	To regulate the weighing and grading of wheat, and appointing commissioners, etc	60	72	....	....	....	....	....
3	To amend section 82, capter 44, laws of 1883	60	65	....	....	....	....	....
4	Relating to Worlds Exposition at New Orleans, La.	65	72	93	...	....	....	120
5	To define boundary lines of Kidder County	65	72	258	299	327	971	265, 412,308
6	To amend section 4, chapter 49, laws of 1879	65	72	....	....	....	....	....
7	To relocate the capital of Dakota Territory	65	72	562	831	568	737	99, 106, 120 578, 620
8	To regulate the transportation of grain and other freight	70	82	168	149 166	168	....	184, 465
9	To allow each member to select seven daily papers	70	82	....	....	82	....	108
10	Memorial for the division and admission of the territory	70	70	180	193	70	225	148, 151,153 208
11	To establish water-works at Wahpeton and for other purposes	70	71	181	....	71	193	165, 183
12	To legalize taxes of Hyde county	70	83	....	260	83	279	249, 252
13	Amending section 218, civil code	70	83	93	282	120	291	258, 276
14	To define boundaries of Edmunds and McPherson counties	70	84	94	....	121	....	145, 150, 151
15	Relating to foreclosure of chattel mortgages	70	84	171	618	648	939	627, 834
16	To amend section 339, civil code	70	84	93	282	122	291	258, 276
17	To appoint legislative postmaster	67	84	....	....	....	....	....
18	Relating to assistant sergeant at arms	80	80	256	213	80	291	165, 219,268 282
19	To amend section 332, civil code	80	109	171	213	236	....	....
20	For a normal school at Springfield	80	109	258	370	272	....	265
21	To amend chapter 13, civil code	81	109	289	368	370	546	308, 513,514 517
22	To regulate names of towns	81	109	623	233	648	....	632, 833
23	To authorize Morton county to build court house and jail	81	109	138	....	142	341	306, 311
24	To abolish office of attorney general	81	109	289	....	294	....	....
25	To change boundary line of Richland county	81	109	215	224	247	729	492, 500,582 616
26	Resolution for a committee of twelve	82	110	161	....	110	193	148, 184
27	To provide for recording official bonds of civil officers	97	110	300	....	328	462	308, 436
28	To tax railroad and telegraph companies	97	110	487	499	....	....	633, 878
29	To authorize Grant Co. to liquidate certain taxes of 1882	97	110	....	....	110	....	683, 833
30	To amend section 1, chapter 85, laws of 1883	97	111	137	541	141	557	515
31	Concerning actions, &c., brought in 3d and 6th judicial district	97	....	....	....	....	....	107
32	To fund the indebtedness of Day and Hyde counties	97	112	331	319	112	370	306, 307
33	To amend section 73, chapter 28, of the political code	97	113	356	....	....	....	....
34	To prevent the spread of pleuro pheumonia	98	113	188	213	618 856	....	309, 457,765 827
35	To legalize taxes Griggs county for 1883	98	113	....	....	....	....	....
36	A memorial praying passage of Mexican War Pension Bill	98	98	....	....	98	....	264, 282
37	To create the County of Ward	98	113	147	311	159	....	306, 307
38	To incorporate the Village of Webster	99	113	172	632	184	939	360
39	Joint resolutions for the appointment of a committe	99	113	....	....	113	....	....
40	Concerning actions brought in 3d and 6th Judicial Dis.	107	114	171	970	185	971	952
41	To authorize Custer county to levy a ten mill tax	108	140	147	....	160	322	305, 311
42	To extend the time tax of 1884 in Sargent Co. shall become delinquent	108	140	....	....	....	....	....
43	To change the time taxes shall become due	108	140	....	....	....	....	....

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
44	To amend section 74, chapter 59, Laws of 1879	109	141		224	248		260, 890
45	To amend section 47, chapter 27, Political Code	109	141	171	212	266	462	270, 359
46	To establish a public highway between Yankton, Turner and Clay counties	109	156	318		328		682
47	To amend section 17, chapter 28, Political Code	107	156	624	635		889	833
48	To appropriate funds for a normal school at Spearfish	109	156	216		222	684	585
49	To amend chapter 34, Session Laws 1881	118	156	171		185		
50	To amend chapter 38, Political Code	118	156	356				
51	To amend section 655, chapter 31, Civil Code	118	157	171		186		
52	To amend section 42, chapter 21, Political Code	118	157	171		186	889	834
53	To establish a North Dakota Agricultural college	118	157	379		383		
54	To legalize the incorporation of Valley Springs	118	157	203	319	208	370	306, 311
55	To provide for the militia	118	157					
56	To authorize Richland Co. to issue bonds to pay debt	118	157	215	224	248	462	260, 360
57	To provide for printing the Governor's message	119	157			158		
58	A memorial relating to a Na'l Homestead monument	119	179					
59	To provide for North Dakota Agricultural college at Fargo	119	157					
60	To establish a Forrestry institution	119	179	833	459		535	518, 530
61	Relating to pay of Com'rs of Custer and Pennington counties	138	179			179	462	360
62	To provide for the collection of family expenses and other debts	138	181	228	244	237		249, 283
63	To abolish board of Co. Comr's. and establish board of Supervisors	138	181	357				
64	Depositing dead animals, etc	138	182					
65	To amend chap. 46, Session Laws 1881	138	142			142		
66	To autorize special tax levy in City of Steele, and to amend charter	139	143			143		148
67	Making amount insurance in policy evidence as to am't. of damages	139	182	203	208			224
68	To amend chap. 36 of the Special Laws of 1883	139	182	485	497			
69	To amend section 91, chapter 21, Political Code	139	182	300		348		309
70	To amend section 13, chapter 39, Political Code	139	184	379	380	383		
71	To amend section 47, chapter 27, Political Code, granting women the right of suffrage	139	182	252	631	296	939	170, 295, 667, 833
72	To authorize Edmunds county to build a court house	139	141	147		160	462	373
73	To appropriate funds for a normal school at Minto	139	184	833	460	535		518, 531
74	To authorize County Treasurers to bid off real estate	139	184	301	378	397	684	586
75	To make taxes a perpetual lein upon personal property	140	184	357				
76	To regulate the practice of dentistry	140	189		452	273	729	265, 282
77	To establish a normal school at Portland, Traill Co	140	189					
78	To create Meade county	140	189	355	360	394		393
79	To amend section 468 of the Civil Code	140	204	252		252	391	373, 380
80	Relating to fees for service of legal process	150	189	300		328		309, 684
81	To establish a normal school at Larimore, G'd. Fk's. Co.	150	189					
82	To amend section 53, chapter 44, laws of 1883	151	190	229	231	238	462	306, 341, 363, 345
83	To regulate telegraph companies, etc	151	190	885	805			
84	To vacate townsite of Belmont	151	190	256		259	462	360
85	To provide Justices of the Peace with a treatise upon Justice courts	151	204	251	299 514	336		265, 274, 309
86	To exempt certain judgments	151	190	386	388	410		403
87	To create a new subdivision of the 6th judicial district	172	204	362		367	585	452, 555
88	Relating to proof of existence of corporations in civil actions	172	205	251		273	462	265, 359
89	To amend section 1, chapter 62, laws of 1881	173	205	256		261	462	359
90	To amend section 5, chapter 43, laws of 1883	173	205	626	632	647		833
91	To amend chapter 22, Political Code	173	205	251		252	462	359
92	To create Nelson county a legal subdivision	173	205	439		446	889	729
93	To create a department of Agriculture	173	220	258	632	277		262, 266, 277, 666
94	To establish the Dakota blind asylum	173	235	332	343	336		
95	To amend sections 12 and 21, chapter 112, laws of 1883	173	221	318		329		682
96	To authorize Ramsey Co. to issue road and bridge bonds	173	235			235	391	360, 380
97	To fund debt of Ramsey county	173	236	387		391	729	586
98	To provide for printing the Governor's message	174	236					
99	To amend charter of Aberdeen	174	246	378	486	499		632, 657
100	For pay of subordinate officers	174	180		240	180	243	221, 225
101	To provide a committee to visit penitentiary at Sioux Falls	188	211	225	210	236		

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
102	To provide a committee to visit territorial institutions..	188			210			
103	For an inspection and report on the condition of the public institutions	189	210		210	210		
104	To exempt farm improvements and implements from taxation	189	221	378	408			
105	For a fence law in Fall River and other counties	189	221	388	411 618	650	889	403, 834
106	To provide for a special election in McHenry county, etc	189	221	270	336	270	391	310, 355, 380
107	To provide a clerk for the appropriation committee	191	191			191	322	306, 311
108	To create territorial librarian	203	222					
109	Relating to school districts in Kingsbury and Brookings counties	204	246	267		274	546	360, 485
110	A memorial protesting against the removal of the Deadwood land office	204	204		240	204	243	220
111	To appoint a joint committee to visit educational institutions	212						
112	For the appointment of a committee on reapportionm't.	212	222					
113	To tax lands when certificates of title are issued	216	246					
114	To amend charter of Yankton	216	246			246		
115	To locate county seat or Turner county	216	246	314		314	463	436, 441
116	To amend section 5, chapter 33, laws of 1883	217	246			247	462	373, 374
117	To subdivide the 3d judicial district	217	247	440		440	939	446, 889
118	To aid in building flouring mills	217	247	344		348		
119	To amend sections 389, 390 and 416, Civil code	217	247	362		368	546	514
120	To appropriate funds for the payment of employees in Legislature	217	222	229		237	311	264, 299
121	To regulate the grading, etc. of grain in the territory..	233	271	308	485			501
122	To prevent the double taxation of real property	233	271	627	635			
123	To create Garfield county and to divide Spink county..	233						
124	To fund debt of Dickey county	233	285	387	403	411		586
125	Limiting time of holding office of Sh'ff and Treas., &c.	233	261	283	628			260, 633
126	Memorial relating to the pine lands of Minnesota	234	285	387		411		586
127	To establish a winter road in Grand Forks and Walsh counties	234	271			272	462	389
128	To locate the county seat of Burle county	234	272	318		329		
129	To change name of Hitchcock and wife	234	272	289		295		
130	To enable the construction of irrigating ditches	234	285	556		575		
131	To make 2d edition of Levisee's Code of Dakota, presumptive evidence	234	285	289		295		
132	To incorporate De Smet	234	293	316	407	317	425	390, 392
133	To establish the Central Dakota Normal school at Big Stone City	234	293					
134	To provide for transcribing the records of Edmunds and McPherson counties	234	285	438	457 618	649	971	952
135	To amend section 31, chapter 27, Political Code	235	285					
136	To fix time of adjournment	235	285	332		336		336
137	To amend section 20, chapter 39, Political Code	235	285	362		371	546	514
138	To appoint sheep inspectors	245	325	362	378	397	939	371, 834
139	Relating to licensing and selling intoxicating liquors in Kingsbury county	245	286	628		644	939	834
140	To create Marshall county	245	286					
141	To amend section 126, Civil Code	245	245	627	635	653	939	834
142	Relating to school district No. 1 in Douglas county	245	286	379		383	684	585
143	To amend Charter of Mandan	245	245	579	346	598	939	834
144	To define the boundaries of Cavalier county	245	286	290		302		
145	To make improvements for North Dakota penitentiary	245	272					
146	To amend section 569, Civil Code	261	285	362		371	585	515, 555
147	To amend section 148, Criminal Code	261	286					
148	To assess chattel mortgages	271	286	627	635			
149	To amend section 4, chapter 6, Political Code	271	286	357				
150	To provide for depositing the dead bodies of criminals and paupers	271	286					
151	To create Burbank county	271	293					
152	To create Coe county	271	286					
153	To relocate the county seat of Kidder	271	293		293			
154	To relocate county seat of Griggs	277	286					286
155	To incorporate Spearfish	284	346	355	620	362	889	492, 555
150	Defining the crime of forgery, and to provide punishment	284	302	378		398		
157	To establish Dakota blind asylum at Ipswich	284	325					
158	To establish the Central Dakota university	284	293		460	532	834	518, 522, 620

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
159	To define the boundaries of Billings and other counties.	284	325	355	378	398	....	372, 682
160	To except Harding and other counties from the herd law	285	326	....	....	....	....	....
161	To fund indebtedness of Duell county	292	326	408	541	372	557	514
102	To regulate dealing in passage tickets	292	326	407	....	397	939	834
163	To create county courts	292	326	....	....	....	....	....
164	To amend chapter 28, Political Code, and section 648, chapter 4 of Civil Code	292	326	357	839	858	....	....
165	To legalize the acts of J. B. Hall	292	326	356	....	372	....	....
166	To define the boundaries of McLean county	292	326	....	....	....	....	....
167	To fund the debt of Sargent county	292	346	387	403	412	729	586
168	To provide for taking census of soldiers and other purposes	292	326	843	....	859	....	....
169	To provide a charter for Clark	292	327	623	....	648	....	730
170	To amend section 39, chapter 75, laws 1883	301	327	408	....	396	889	834
171	To establish a normal school at Groton	301	346	622	635	653	....	....
172	To inspect illuminating oils	301	327	486	....	500	....	....
173	To regulate district court practice	302	327	358	....	....	....	....
174	To establish independent school district No. 1, Trail Co.	302	327	485	633	643	939	834
175	To amend an act relating to common schools	302	346	....	....	....	....	....
176	To fund debt of Roberts county	312	346	677	....	697	971	834
177	To amend section 10, chapter 20, laws of 1883	312	346	....	....	....	....	....
178	To divide the territory into counties of uniform size	312	347	....	....	....	....	....
179	Relating to location of county seats	312	347	628	633	642	889	732, 971
180	For inspection of steam boilers	323	347	358	....	....	....	....
181	To prohibit certain officers from serving process, etc	323	347	633	767	858	....	....
182	To amend chapter 99, Session Laws 1883	323	347	629	633	....	....	766, 895; 941
183	To fund debt of McPherson county	323	347	669	763	674	971	834
184	To provide window shades	323	347	381	....	384	546	514
185	For payment of persons employed in Capitol building	323	347	....	....	444	....	....
186	To authorize Clark county to build court house and jail	324	366	625	....	667	889	730
187	To create a board of public examiners	324	347	388	403	....	....	....
188	To amend section 72, of an act incorporating Deadwood	324	367	471	....	473	585	515, 555
189	To amend section 12, of the charter of Deadwood	324	367	471	....	473	585	515, 555
190	To repeal a part of section 12, of charter of Deadwood	324	367	471	....	474	585	515, 555
191	To amend section 104, Civil Code	324	367	472	....	....	....	....
192	To authorize Fall River county to construct bridge	324	382	....	....	382	585	515 555
193	Relating to levy and collection of taxes	324	383	579	....	....	....	....
194	To establish nine commissioners' districts in Brown Co.	324	325	....	....	325	....	....
195	To vacate portions of Springfield	325	367	470	....	481	....	....
196	To amend charter of Vermillion	325	382	470	....	480	620	547
197	To amend chapter 26, laws of 1879	325	382	....	....	....	....	....
198	To amend section 414, Civil Code	334	383	471	....	482	889	730
199	Relating to discharge railroad employees	334	395	487	499	....	....	633
200	To define boundary line between Hyde and Hand Cos.	334	383	....	....	....	....	....
201	Relating to time and place of holding United States district court in the 2d judicial district	335	348	630	636	654	....	684
202	To establish University of the Missouri	335	395	622	635	652	....	....
203	To purchase fuel for capitol building	335	335	340	341	349	684	586
204	To regulate term of office of auditor	335	383	626	457	649	889	618, 682
205	To repeal certain sections of an Act relating to Union county	335	395	....	874	395	971	834
206	Relating to Vermillion City school district	335	396	439	541	445	557	515
207	To prevent sale of liquors within 3 miles of Dakota University	345	396	439	551	445	620	515
208	To amend section 56, chapter 28, Political Code	345	395	....	....	....	....	....
209	Relating to terms of imprisonment	345	396	556	....	575	889	730
210	To prevent deception in sale of dairy products	345	430	....	....	....	....	....
211	To authorize McPherson Co. to build a court house and jail	345	431	....	....	....	....	....
212	To relocate the county seat of Spink county	345	346	389	403	645	....	623, 634, 684
213	For the taxation of mines	346	431	763	827	....	....	895
214	For the submission of territorial appropriations to a vote	364	431	....	....	....	....	....
215	To fund debt of Aurora county	364	431	489	....	481	848	586
216	To amend section 67, Civil Code	364	431	676	....	....	....	....
217	To repeal section 760, Criminal Code	364	431	626	633	642	....	....
218	To define the boundaries of the 4th judicial district, &c.	365	431	....	....	431	546	517, 541
219	Relating to water works at Wahpeton	365	365	....	....	365	462	412
220	To tax express companies	365	432	669	677	655	....	851, 888, 895
221	To extend time of paym't of taxes at Groton, Brown Co.	365	432	....	....	432	585	515, 555
222	Resolution relating to the Wahpeton Indian reservation	365	433	514	....	495	939	834
223	To provide struck juries	366	433	471	..	475	939	890, 894

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
224	To change the name of the Lenham Elevator company	366	433	556	....	576	889	834
225	To amend section 1970, of Civil Code	366	433	556	....	576	889	730
226	To amend chapter 39, Political Code	366	433	487	....	495	....	....
227	To provide for changing names of towns and villages	366	433	487	....	496	889	834
228	To provide a charter for Wahpeton	366	366	....	....	392	620	514
229	To amend charter of Parker	366	433	581	....	591	971	834
230	To incorporate Bridgewater	381	434	842	....	866	971	890
231	To organize the library institute of Dakota Territory	381	434	471	....	....	....	....
232	For Mutual Local insurance	381	434	....	....	....	....	....
233	To change the name of Logan township, Aurora county	381	434	581	....	591	939	834
234	To fund debt of Plankinton	381	442	490	....	496	729	547
235	To amend chapter 75, laws 1883	381	442	708	....	727	939	889
236	To amend section 399, Civil Code	381	434	472	....	....	....	....
237	To amend chapter 44, laws 1883	381	434	679	....	....	....	....
238	Relating to public health and against unwholesome food	382	443	486	....	498	....	682
239	To provide for commissioners for organized counties	382	382	....	521	521	889	834, 835
240	To divide Emmons county and create Winona county	394	443	582	....	592	....	729
241	To establish an independent school district in Douglas county	394	443	485	....	498	889	834
242	To amend Sec. 39, Chapt. 1, Code of Personal Relations	395	443	....	....	....	....	....
243	For appointment of immigration agents	395	455	486	....	500	....	....
244	To define boundaries of Monroe county	409	443	513	518	....	....	519
245	Concerning corporations and bankers	409	409	486	....	497	....	834
246	To define boundary lines of Ramsey and Benson counties	410	410	540	682	552	....	....
247	To amend section 78, chapter 28, Political Code	410	444	580	....	577	939	834
248	To fund debt of Edmunds county	410	410	489	....	497	....	586
249	To amend section 238, Civil Code	410	434	584	....	....	....	....
250	To amend section 229, Civil Code	410	444	541	....	....	....	....
251	To amend section 113, Civil Code	410	444	704	....	....	....	....
252	To fund debt of Custer county	429	478	488	....	489	....	586
253	To legalize location of the county seat of Sanborn Co.	429	429	485	....	499	489	547
254	Relating to civil townships	430	444	623	634	643	971	890
255	Relating to acreage of timber in Dakota	430	455	582	....	592	889	834
256	To authorize Ellendale to aid in building flouring mill	430	478	....	....	....	....	....
257	To provide for the Lisbon school board	430	478	....	....	658	939	....
258	To refund debt of Union county	430	478	488	631	488	....	666
259	To give a bounty on wolf and fox scalps	430	455	542	678	855	....	826
260	For relief of Milton C. Connors	430	478	581	....	593	889	834
261	Relating to La Moure county seat	441	478	582	....	593	939	834, 867
262	To change name of Mina	441	478	676	....	....	....	....
263	To amend section 1098, Civil Code	441	478	670	680	....	....	....
264	To create Heart county	441	479	582	....	594	....	....
265	To repeal special laws pertaining to Union county	441	479	706	....	717	....	....
266	To regulate coal mines and mining	442	479	635	....	....	....	....
267	To provide a uniform system of text books for common schools	442	479	679	826	688	....	....
268	To abolish office of county Ass'r in certain counties, &c.	442	479	489	634	644	....	....
269	To legalize acts of commissioners in Dickey county	442	479	680	....	723	939	889
270	To authorize City of Bismarck to issue school bonds	442	494	883	....	898	971	952
271	Relating to common schools	442	....	628	826	854	...	....
272	To create a county board of auditors	454	494	....	....	....	....	....
273	To subdivide the 6th Judicial district	454	479	626	....	646	....	....
274	To divide Morton and create Carbon county	454	....	....	....	....	....	....
275	To prevent civil officers from entering into certain contracts	454	479	679	676	671	....	....
276	To amend section 1098, Civil Code	454	479	....	....	....	....	....
277	To amend section 15, Justice's Code	454	494	626	....	646	889	834
278	To protect certain game	454	495	670	681	671	....	....
279	To appropriate money for territorial board of agriculture	476	528	678	....	696	....	....
280	To amend section 2, chapter 77, laws 1881	476	529	680	....	694	....	....
281	To amend charter of Chamberlain	476	529	581	620	594	684	....
282	To create Washington county	476	529	582	....	594	971	834, 874
283	To create Eddy county	476	529	582	....	595	....	....
284	To fund debt Ft. Ransom school township	476	529	541	....	595	939	834
285	To repeal chapter 36, laws 1883	477	482	....	....	482	....	833
286	To change name Nordland	477	529	622	....	650	889	730
287	To establish independent school districts in Turner Co.	477	565	679	....	695	971	834
288	To amend an Act relating to independent school district No. 1, Turner county	477	529	679	....	687	971	834
289	To establish independent school district of Bridgewater	477	567	705	710	724	971	890
290	To incorporate Big Stone City and establish an inde-							

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
	dendent school district	477	565			596	971	834
291	To change the commissioners' district of Walsh county	477	530					
292	To authorize bonds for the penitentiary at Bismarck	477	495	584	557	596		
293	To amend section 54, chapter 21, Revised Code	493	566					
294	To make an appropriation for the Bismarck penitentiary	493						
295	To submit the question of license in Moody Co. to a vote	493	566					
296	To create Putnam county	493	566					
297	To supplement article 4, of chapter 11; of the Civil Code	493	566	680		691		
298	To authorize Hyde county to build court house and jail	494				944	939	938
299	To create St. Pierre county	494	566			727	971	834, 874
300	To amend 672, Political Code	494	566	681		693		833
301	To amend chapters 31 and 32, laws 1879, and section 18, chapter 30, Revised Code	494	567					
302	To change boundaries of Crystal and Park townships, Pembina county	528	567	581		599	971	834
303	To authorize the Village of Egan to issue bonds	528	565			505		834
304	To pay pages of the House	528					939	834
305	To amend charter of Larimore	528	567		682	567	889	
306	Relating to the sale of intoxicating liquors	528		767	826	860		
307	Relating to selling liquors to minors	528	566					
308	To amend the Act funding the debt of Moody and other counties	543	549			549	889	730
309	To incorporate Woonsocket	543	550			690	971	847
310	To provide for printing the Council and House Journals	544	566	629	645	723	971	711, 890
311	To repeal chapter 46, Session Laws of 1883	544	566	679	696			
312	To promote construction of the Sioux Falls, Fairbank & Western railroad	544	641	766	826			
313	To legalize the acts of the trustees of Ipswich, &c	544	550	681	826	694		859
314	To authorize Walsh county to purchase a poor farm	544	550	707		718	939	834
315	To amend charter of Elk Point	544	641			641	889	834
316	To amend section 32, chapter 28, Political Code	544	641			675		
317	To prevent changes in boundary lines of organized Cos.	544	641	843				
318	To provide for return of patients from insane hospitals	544	642	709		725		
319	Relating to taxes upon railroads	545	642	678	694			
320	To fund debt of Cavalier county	545	687	704		726	889	834
321	To provide for publishing the laws in the newspapers of the Territory	545	642					
322	To establish a Territorial Horticultural and Forestry association	545	687			928		
323	To establish independent Dis. No. 2 in Hutchinson Co.	545	687	705		725		
324	To vacate a certain portion of the City of Mandan	545	687	842		865	971	890
325	To protect game in Burleigh county	545	686					
326	A memorial to congress for improvement of Red River	554	554			554		682
327	To fund debt of Marion school township in Turner Co.	503	686	704		727	971	824
328	To prohibit the sale of liquor and provide local options	563	575	765	837	838		850
329	To establish an independent school district in Harrison, Douglas county	563	686			722	889	
330	To exempt public highways from taxation	563	686	842		851		
331	To change names of certain persons	563	686	840		860		
332	To provide for the formation of school districts	563	686	705		716		
333	To vacate Cherry street in Menno, Hutchinson county	564	686	842		857		890
334	Concerning labor, work and materials furnished on the Capitol building	564	686					
335	To amend the Lisbon Charter	564		677		695	939	847
336	To change names of certain persons	564		626		656		834
337	To establish an independent school district of Flandreau, Moody county	564	685			868	939	847
338	To fund debt of Nelson county	564	564	583		599	971	834, 835
339	To authorize City of Bismarck to issue bonds	564				897	971	952
340	To incorporate Frankfort	564	591	707		718	971	847, 944
341	To relocate Charles Mix county seat	564	565	841		866		
342	To legalize school township election in Towner county	587	588			588	971	848, 944
343	To amend charter of Huron	588	588					
344	To amend section 1, chapter 48, laws 1879	588	588	702		726		
345	To amend sections 58 and 59, chapter 21, Political Code	588	588			689		
346	Relating to keeping open county offices, each day	588	588					
347	To amend chapter 10, Political Code	589	589	680		692		889
348	Relating to real estate foreclosures	589	589	680		692		
349	To legalize assessment of Butte county for 1883	589	589	763		651	889	834
350	To change name of Hitchcock and wife	589	589	626		656	889	834
351	To define boundaries of Oliver and Mercer counties	589	589			651	889	847

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
352	To repeal chapter 37, special laws 1883	589	589					
353	To amend section 658, chapter 4, Civil Code	589	686	840	842	862		
354	To provide a salary for clerks of district courts	589	685	884	892			
355	To amend section 12, chapter 62, special laws 1881	590		843		865		
356	To amend section 640, Civil Code	590	685	840		862		
357	To pardon Patrick R. Smith	590	590			590		
358	To change name of Blaine township in Burleigh county	590	590			590		834
359	To amend section 107, Civil Code	591	591	840		857	971	890
360	To change the name of Victoria to Coal Harbor, McLean County	636	636			636	889	834
361	To pay for sewer and cesspool for Capitol building	637	637	678		696	939	890, 927
362	To amend a special law of 1883	637	637			690	971	834
363	To incorporate Salem	637	637	708		688	971	846
364	To create Adams county	637	637	628		637	939	730
365	To regulate the receiving and transportation of fuel on railroads	638	638	678		693	889	847
366	To change the name of Marshall to Englevale	638	638			638	889	834
367	To amend the charter of Flandreau	638	638			638	939	847
368	To pay for steam apparatus in Capitol building	639	639					
369	To establish the independent school district of Walcott.	639	639			639		847
370	To fund debt of Big Stone school township	640	640			640	889	834
371	To change name of Walter F. Jones	640	640			640		834
372	Relating to boundaries of Kidder county	641	685			697	971	730
373	To amend an Act in relation to Elkpoint township bonds	684	684			728		
374	To purchase 1st and 2d volumes of Dakota supreme court reports	684	684	767				
375	To authorize Andover school Tp. to issue bonds, &c	685	685	793		718	939	847
376	To amend charter of Steele	685	685			838	939	834
377	To establish immigration commissoners	685	685					
378	To regulate the sale and smoking of opium	711	711			711	939	847
379	To provide standard weight and measures	712	712	767	841	864	971	937
380	To fund debt of Union school township, Edmunds Co.	712	712	704		716	939	889
381	To authorize Stark Co. to build court house, jail and issue bonds	712	712	705		717	971	890
382	To establish school district No. 20, in Hanson county	712	712	705		719	939	889
383	To authorize Mercer county to issue bonds	712	712	704		721		
384	To incorporate Alexandria	712	712	842		862	971	890
385	To legalize organization of New Salem Tp., Morton Co.	712	712	703		724	889	847
386	To legalize the tax levied by Andover school township in Day county	713	712	840		861	971	890
387	To consolidate Hamilton and Codington counties	713	713					
388	To authorize school Tp. in McCook county to fund debt	713	713			713	889	847
389	To subdivide the 3d judicial district	713	713	764	928	764	971	890, 927
390	Relating to county auditors in certain counties	713	713					
391	To amend the funding act of Day and Hyde counties	714	714			719		
392	To create Onida and divide Sully counties	714	714	826				
393	To amend charter of Valley Springs	714	714			714	939	847
394	To appropriate funds for certain purposes	714	714	710		722	939	889, 893
395	To repeal section 3, chapter 11, laws 1883	715	715	844	474	856	939	852, 889
396	Relating to the exhibit of Dakota at the New Orleans exposition	715	715	841		855		937
397	Relating to the statistics of Dakota	715	715	841		861	971	890
398	To amend the Hillsboro charter	715	715			899	971	937
399	To establish the Plankinton independent school district, Aurora county	715	715	843		863	971	890
400	To establish a Reform school	715	715					
401	Concerning the collection of taxes on railroad property	715	715					
402	To amend chapter 17, special laws 1881	827	828			828	939	889
403	To create independent school No. 1, in Richland county	828	828			828	971	890
404	To amend charter of Minto	830	830	841		850	971	890
405	To regulate caucuses and primary meetings	829	829			829	939	
406	To provide an educational society in Hyde county	831	831					
407	To authorize school district No. 52, in Duell county to issue bonds	830	830	839		851	971	890
408	To establish a board of education at Alexandria	829	829			829		890
409	To vacate a portion of Sterling	830	830			830	971	890
410	To amend section 1752 Civil Code	830	830	883	895			
411	Relating to perfecting records of Council and House	849	849			864		
412	To amend an Act to create the County of Adams	849	849					
413	To authorize Burleigh county to issue bonds	849	849					
414	To amend the charter of Sioux Falls	848	848	842		867		890, 894

Bills of the House—*Continued.*

Number.	TITLE.	Introduction and first reading.	2d Reading and reference.	Reported back from Com.	Miscellaneous.	3d Reading and passage.	Governor's approval.	Other Mention.
415	To amend section 9, chapter 45, laws 1883	848	848	....	....	863	971	952
416	To establish independent school district of Redfield, Spink county	849	849	852	....	....	....	....
417	To amend section 6, chapter 104, laws 1883	849	849	....	....	....	....	....
418	To reappraise and sell certain lands belonging to the Territory	849	849	895	....	....	....	....
419	To incorporate Bismarck	867	867	....	....	867	971	937, 944
420	To provide a charter for Pembina	850	850	....	....	896	971	890
421	To incorporate Groton	891	891	....	....	899	971	969
422	To amend charter of Egan	891	891	....	....	898	971	952
423	For payment of chief clerk of Council for session 1874-5	896	896	....	....	896	971	937, 944
424	To amend chapter 79, laws 1883	895	895	....	....	895	971	938
425	To amend chapter 7, laws 1883	926	926	....	925	926	971	936, 944
426	To provide extra compensation to clerks of House and Council	897	897	....	....	897	971	937, 944
427	Granting pay to newspapers	929	929	....	930	....	....	....
428	To amend charter of Bismarck	945	945	....	....	945	971	952
429	Concerning Winona and Emmons counties	945	945	....	....	945	971	970
430	To provide compensation for employees of House and Council	954	954	954	....	954	971	970
431	Joint resolution to provide extra compensation to employees	970	970	....	....	970	971	969
432	To provide for the maintenance of public offices of Terr'y	963	963	....	....	964	971	966
433	....	....	....	....	....	....	....	....
435	....	....	....	....	....	....	....	....

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COUNCIL BILLS IN THE HOUSE.

Number.	TITLE.	Received.	First reading.	2d Reading and reference.	Reported back	Miscellaneous.	3d Reading and passage.	Miscellaneous.
1	To fund the indebtedness of Grand Forks county......	150	154	154	....	....	154	....
6	To enable school districts of Barnes and Griggs counties to fund indebtedness	191	191	192	....	....	192	....
7	To fund the indebtedness of Grant county............	165	174	176	....	....	176	....
8	To correct and define boundary line between Grant and Roberts county..............................	85	84	99	147	....	155	....
10	Memorial to Congress relating to price public lands within railroad grants..........................	108	114	114	....	....	114	181
11	To establish North Dakota hospital for the insane, etc..	283	303	337	406	....	418	....
12	Relating to World's exposition at New Orleans.......	85	99	107	111	....	112	163
14	To make appropriations to maintain charitable, penal and educational institutions.....................	833	....	....	943	952	948	965, 971
15	To erect additional buildings for the North Dakota hospital for the insane............................	259	262	275	318	458	538	518, 523 537, 532
16	To exempt volunteer firemen as jurors, and paying poll tax	437	501	505	627	636	758	....
18	To provide a court house and jail for Brookings county.	169	175	179	203	....	209	....
19	For the incorporation of street railways and for other purposes	352	399	413	486	....	508	....
21	To authorize county mutual insurance companies.......	617	658	658	882	826	907	....
23	To protect fish in the James, Sioux and Cheyenne rivers	150	150	175	216	224	263	266, 268 634, 753
25	To provide for a board of railroad commissioners.......	465	480	....	586	615	615	....
26	To define boundary lines of McPherson and Edmunds counties	143	144	144	....	....	144	....
28	To allow Ordway Tp., Brown Co., to fund indebtedness	143	145	155	229	....	239	....
30	To create Garfield county and to locate county seat of Spink county..	143	145	145	229	....	240	....
32	In relation to bonds issued by Elk Point township, in Union county..	192	205	222	332	....	333	....
33	To change name of Elgin, Cass county, to Ayr.........	166	174	177	....	....	177	....
36	To extend time of payment of taxes levied in year 1884..	143	145	145	....	155 190	165	,161 164,181
39	To provide for completing the Agricultural college at Brookings, etc..	221	238	254	518 710	458	535	431, 585,621 617 743
40	To repeal chapters 61 and 62, laws of 1883..............	259	262	275	356	....	....	....
44	To fund indebtednes of McCook Co. and other purposes	166	174	177	....	....	178	220, 893
45	To establish Territorial and County boards of health, etc.	515	600	603	....	281	698	665
50	To provide for Dakota school for deaf mutes, and for other purposes...	220	238	254	458	459	532	517, 523
51	To repeal chapters 60, 108, 110 and 116, laws of 1883, and for other purposes..............................	264	275	304	331	880 888	910	338, 341
52	To amend an Act incorporating Valley City, Barnes county, etc...	166	175	178	....	....	178	....
53	To repeal section 5, of chapter 31, Session Laws of 1881	166	175	178	267	....	340	276, 332
54	To Vacate a portion of the Town of Elk Point..........	165	175	179	203	....	208	....
56	To appropriate funds to complete Territoral Normal school, at Madison, Dakota.........................	243	253	262	459	512	534	523
57	To establish a school of Mines.....	221	239	254	315	459	536	441, 512,531 526,
58	General appropriations..................................	833	....	....	943	952	948	965, 971
59	To print biennial reports of treasurer and auditor.......	169	175	179	216	....	223	....
60	To revive chapter 4, laws 1883, to locate North Dakota Agricultural college, etc..........................	150	150	175	380	459	419	....

Council Bills in the House—*Continued.*

Number.	TITLE.	Received.	First reading.	2d Reading and reference.	Reported back	Miscellaneous.	3d Reading and passage.	Miscellaneous.
61	Concerning the North Dakota college at Fargo	390	401	401	485	459	536	531
62	To procure coal for use of the Capitol building	108	119	119	....	....	120	....
63	To print reports of regents of Brookings' Agricultural college	150	150	175	....	....	175	....
65	To change name of the Village of Ordway, Brown Co.,	143	145	145	146	....	156	168, 211
66	To amend chapter 30, Political Code, and provide for the militia	390	401	414	635	510	699	....
70	To provide funds for building University of Dakota	220	239	254	517	459	532	522
71	To provide for certain printing	150	150	176	....	....	176	....
72	Resolution in relation to Lieut. Greeley	150	154	154	163	154	163	....
73	To establish railroad commissioners	465	480	....	586	615	615	....
74	To establish a Blind asylum at Milbank	436	447	503	622	618	762	....
75	To create Marshall county	351	399	414	485	....	510	....
76	To amend section 101, chapter 9, Civil Code	259	262	275	298	....	304	....
78	To provide a main build for North Dakota university	351	399	414	518	459	532	522
79	To amend section 3, chapter 63, laws 1883	193	205	222	298	....	338	304, 319
83	To amend section 15, chapter 21, Revised Code	390	401	414	439	449	662 750	458, 634 672,
84	To provide water for the Capitol building	192	205	264	257	....	264	....
85	Providing for expense of militia to Spink county	259	262	275	407	....	419	....
86	Regulating to pay of trustees, etc	567	603	606	....	....	....	....
87	To recover delinquent taxes	351	399	414	438	....	452	....
88	To purchase supreme court reports	220	239	254	298	....	304	....
89	To authorize the county commissioners, of Yankton Co., to refund certain taxes	244	253	263	709	....	748	....
90	To appoint stenographers	191	205	....	289	....	294	....
91	To authorize Foster county to issue bonds	284	303	337	363	408	747	625, 635
94	For the levy and collection of taxes	890	....	....	930	....	....	....
95	To change name of St. James church	192	205	205	....	....	205	....
97	To amend chapter 37, laws 1881	284	303	337	378	407	420	....
98	To define boundaries of Wells county	244	253	263	319	....	339	....
99	For issue of bonds in Wells county	284	303	337	409	....	420	....
100	For appointment of clerks	193	....	255	277	207	277	268
102	To create the office of commissioner of immigration	220	239	255	669	....	674	677
104	To amend section 416, Criminal Code	243	253	263	409	....	421	....
105	To fund debt of Lake county	291	303	338	409	493	421	473, 490
107	For taking testimonies by com'ers in justice's courts	390	402	414	439	....	449	....
108	To amend section 3, Political Code	359	400	414	440	454	449	634
111	To amend section 5, chapter 13, laws 1879	359	400	414	709	....	746	....
112	To amend section 9, chapter 29, Political Code	352	399	415	487	....	507	....
113	To establish independent school district No 2, in Lake and Moody counties	259	262	275	....	....	....	....
114	To relocate the county seat of Bon Homme	244	253	263	439	458	552	549
115	To provide for a constitutional convention	436	447	503	584	....	607	....
117	Relating to Board of education at Fargo	259	262	276	380	....	422	....
120	To provide for contesting elections	413	446	504	627	636	755	....
121	To extend time for payment of delinquent taxes for 1884	205	206	207	....	....	207	....
122	To vacate a portion of Oriska	351	399	415	....	....	415	....
126	To amend section 12, chapter 104, laws 1881	259	262	276	319	350	339	363, 364
128	To establish independent school district No. 4, Lake Co.	264	275	304	439	....	450	....
129	To authorize school district 18, in Cass Co., to issue bonds	351	399	415	438	....	450	....
130	To divide Traill county into commissioners' districts	848	869	872	885	....	916	....
132	To authorize the treasurer of Traill Co. to transfer funds	351	406	415	437	....	450	....
133	To establish civil townships in Traill county	351	400	415	623	634	659	....
134	To provide for a court house in Hamlin county	291	303	....	....	303	....	....
135	To amend an Act to incorporate Grand Forks	231	239	253	409	....	422	....
139	To create independent school district No. 3, Lake county	350	400	416	486	634	737	....
140	To provide for the organization of new counties	359	400	416	....	....	608	....
141	To authorize Grand Forks county to offer a reward for a murderer	231	232	232	....	....	232	....
142	To amend section 1, chapter 44, laws 1883	466	501	505	542	709	760	....
144	To incorporate Scotland	310	337	349	634	458	659	....
145	To amend section 423-4, Criminal Code	310	337	349	438	....	451	....
147	Relating to judicial subdivision of Ransom and Sargent counties	264	275	275	290	....	305	....
149	Relating to charter of Groton	358	401	416	....	....	509	....
150	Relating to charter of Grafton	358	401	416	....	....	509	....
151	Independent district of Grafton	492	551	551	....	....	551	....
152	To promote the planting of forest trees	466	501	506	636	....	756	....
154	To authorize school Dis. No 7, Cass Co., to issue bonds	390	402	416	438	....	451	....
155	To incorporate Kampeska	310	337	349	....	....	423	....

Council Bills in the House—*Continued.*

Number.	TITLE.	Received.	First reading.	2d Reading and reference.	Reported back	Miscellaneous.	3d Reading and passage.	Miscellaneous.
156	To amend chapter 3, Civil Code	390	413	448	474	553	670	670, 709
158	To amend Sioux Falls charter	264	275	276	317	350	317	333, 349
159	To amend Grand Forks charter	359	401	416	487	....	508	....
162	To fund debt of Potter county	413	447	504	625	636	743	....
165	To amend section 656, Civil Code	359	401	416	634	458	663	....
167	To fund debt of Miner county	351	400	416	437	458	749	634
168	To change the incorporate limits of Redfield	436	447	504	708	....	749	....
170	Relating to Reform school at Plankington	359	401	401	460	523	534	....
171	To amend section 2118, Civil Code	390	402	416	629	635	752	....
173	To vacate part of Mitchell	351	400	416	....	....	416	....
174	To fund debt of Hughes county	413	447	504	625	636	743	....
175	To vacate Town of Denton	351	400	417	487	....	508	....
167	For relief of Brown county	389	402	417	584	....	608	....
178	To amend section 553, Criminal Code	436	447	504	581	....	609	952
179	To amend section 4, chapter 3, Political Code	492	600	603	703	....	760	....
180	To create the independent school district of Brandon	483	502	507	....	....	....	....
181	To allow township supervisors to issue bonds	466	502	506	763	825	904	....
183	To repeal section 4, chapter 99, laws 1881	413	447	504	580	....	609	....
184	To improve navigation on the James river	390	402	417	472	....	474	....
185	To incorporate Madison	359	401	418	635	....	660	....
186	To pay for fuel for Capitol building	389	402	417	826	882	905	890, 900,902 924,
188	To enable cities to construct water works	436	447	504	583	825	610	....
189	To amend section 101, Civil Code	516	600	604	883	....	906	....
190	To provide a charter for Fargo	351	400	418	935	620	874	891
194	Fixing fees for transporting convicts	436	447	505	882	....	909	....
195	Fixing fees of sheriffs	436	447	504	826	....	907	....
199	To incorporate Howard	390	413	448	764	....	762	....
200	To amend chapter 52-3, laws 1883	483	502	507	583	....	610	....
201	To amend section 5, chapter 5, Political Code	631	732	....	....	....	....	....
202	To provide a charter for Columbia	359	401	418	635	....	660	....
203	Relating to county district attorneys	832	869	872	884	....	914	....
204	To incorporate Mayville	466	501	505	....	....	746	....
206	To authorize issuing bonds for a court house and jail, Walsh county	351	400	417	....	....	417	....
207	Resolution of thanks to the junior senator, from Ind.	323	343	343	408	....	423	....
210	Bonds in Brown county	832	869	872	880	....	924	....
211	To amend section 237, Civil Code	437	501	505	580	....	610	....
112	To empower schl. Dis. No. 78, Walsh Co., to issue bonds	466	502	506	583	....	611	....
213	To amend the Jamestown charter	466	502	506	581	....	611	....
216	To amend charter of Grafton	437	501	505	....	....	612	....
217	Relating to court house and jail in Walsh county	546	602	606	624	....	666	....
218	To fund debt of Sully county	413	447	505	625	636	734	....
219	To fund debt of Towner county	466	502	506	583	....	612	....
221	In relation to vacating town plats	832	901	902	881	....	918	....
222	Railroad taxation	832	875	....	....	891	....	....
223	To tax telegraph companies	567	603	606	885	....	....	895
224	Court house in Hamilton county, etc	358	361	361	....	....	361	....
225	Relating to the public schools of Pierre	547	602	606	627	....	662	....
227	To amend section 511, Civil Code	466	502	506	580	....	613	....
228	To provide for taking depositions in criminal cases	516	600	604	702	....	736	....
229	To create the independent school district of Canova	516	600	604	728	....	761	....
230	Relating to streets in the Town of Madison	492	600	604	707	....	745	....
231	Relating to keeping United States prisoners in Territorial penitentiary	683	733	....	882	....	908	....
232	To repeal sections 58 and 59, chapter 21, Political Code	730	....	....	....	....	....	....
233	To incorporate Milbank	390	402	418	581	....	614	....
234	To fund debt of Stutsman county	516	600	604	624	....	665	....
235	To amend sections 7 and 15, chapter 39, Civil Code	492	600	604	702	....	735	....
236	To legalize the acts of John P. Belding	437	501	505	580	....	613	....
238	To amend sections 236 and 237, Political Code	466	502	507	702	....	720	....
239	To amend section 6, chapter 19, Political Code	492	600	604	703	....	759	....
240	To authorize Lawrence county to issue bonds	466	502	506	764	825	914	....
243	To amend section 104, Civil Code	516	601	604	....	....	....	....
244	To define boundaries of McLean county	546	602	606	707	....	744	....
245	Relating to justices' courts	492	601	604	702	....	757	....
246	Creating Eddy county	466	502	506	582	....	614	....
247	To incorporate Canton	516	601	605	708	....	736	....
248	To fund debt of Codington county	568	603	606	624	....	664	....
249	Relating to 3d judicial district	683	733	....	883	....	906	....
250	To amend Tower City charter	483	502	507	556	548	....	....

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Number.	TITLE.	Received.	First reading.	2d Reading and reference.	Reported back	Miscellaneous.	3d Reading and passage.	Miscellaneous.
251	To fund debt of school districts in Barnes and Griggs counties	437	448	505	....	....	756	....
253	Relating to bond of Robert Neill	516	601	605	703	....	761	....
254	To incorporate Fairbank	517	601	605	708	....	747	....
257	To provide a board of education for Jamestown	516	601	605	....	....	755	....
259	To reward the discovery of Anthracite coal	568	603	606	....	....	....	....
260	To amend chapter 38, Political Code	516	601	605	702	....	758	....
262	To amend section 642, Penal Code, and to amend sections 402 and 515, Civil Code	631	732	903	840	....	903	....
264	To authorize certain counties to aid persons whose crops were destroyed	517	601	605	680	....	673	....
265	To create an independent school district at Howard	516	601	605	627	....	662	....
266	To create an independent school district of Gilman	517	602	605	705	....	749	....
268	To repeal chapter 36, laws of 1883	483	503	503	....	....	503	....
269	To vacate portions of Grafton	547	602	606	....	....	....	....
271	To create auditor of Spink county	832	870	873	883	....	908	....
274	To provide pay for the pages of the Council	568	602	602	....	....	602	....
277	Relating to the road and bridge fund of Cass county	568	603	607	624	....	663	....
278	Relating to finishing court house in Cass county	568	603	603	624	....	664	....
280	To change names of certain churches	568	602	603	703	....	753	....
282	To amend Bismarck charter	547	554	554	....	....	....	....
283	To amend charter of Casselton	547	603	606	708	....	748	....
285	Relating to 2d judicial district	683	733	....	883	....	912	....
286	To define the boundaries of Cavalier county	683	733	....	....	734	....	....
287	To amend section 7, chpater 63, laws 1881	832	901	903	880	....	920	....
288	To vacate portions of Brookings	568	....	....	707	....	745	....
289	To repeal sections 64 to 68, of chapter 112, laws 1883	832	870	873	884	....	922	....
290	To create indepenpent school district of Woonsocket	617	658	659	705	....	759	....
291	To fund debt of Mitchell	631	733	....	....	....	....	....
292	To vacate portions of Marion Junction	631	733	....	....	....	....	....
293	A memorial in relation to Gen. Grant	547	548	548	....	....	548	....
294	To authorize a special election in Steele county	823	870	873	885	....	911	953
295	To vacate certain town plats	832	901	903	881	....	919	....
296	To establish an independent school district in Hutchinson county	730	869	871	881	....	918	....
297	To fund debt of Bon Homme county	730	870	873	931	....	949	....
298	To fund debt of Davidson county	731	870	873	931	....	948	....
299	To annex certain townships to McHenry county	683	723	....	885	....	909	....
300	Relating to terms of court in 6th judicial district	683	733	733	....	....	735	....
302	To amend the Yankton charter	617	658	659	....	....	754	....
303	To provide for an election in Rolette county	832	870	873	885	....	915	....
304	To vacate North Tyndal	631	733	....	883	....	905	....
305	To provide for auditors in certain counties	832	836	836	....	....	836	....
306	To incorporate Northward	683	733	748	931	....	949	....
307	To create joint school townships	683	734	904	881	....	904	....
308	To authorize Benson county to issue bonds	731	868	871	885	....	915	....
309	To establish an independent sch'l dist of Springfield	848	870	870	....	....	870	....
310	To create the county of Norman	846	....	....	....	....	....	....
311	To define the boundaries of the 5th judicial district	683	734	....	888	....	910	891........
312	To establish an independent school dist. of G'd. Forks.	731	869	871	....	....	....	....
313	To amend chapter 28, Political Code	731	871	874	....	....	911	....
315	To amend section 2, chapter 9, laws 1883	832	870	873	883	....	913	....
316	To incorporate Volga	832	900	902	881	....	920	....
317	To provide for services and payment of engrossing cl'k.	632	733	....	....	....	874	....
318	To define the 6th judicial district	731	869	872	884	....	912	893........
320	To create Stanton county, etc	846	900	902	885	....	916	....
321	Relating to county commissioners of Eddy county	846	900	902	....	....	921	....
322	To define the powers of the South Dakota Presbytery	832	900	902	....	....	....	....
323	To amend the Mitchell charter	832	901	902	935	....	951	....
324	To incorporate Chamberlain	832	900	902	934	....	951	....
325	To vacate portions of Canton	832	901	902	881	....	919	....
326	To create Ind. School Dist. No, 2 in Bon Homme Co	731	869	872	882	....	914	....
327	To legalize the acts of commissioners of Spink county	731	869	872	883	....	913	....
329	To repeal section 2, chapter 35, laws of 1883	731	871	874	....	....	879	890, 938
330	Relating to Gov. bridge at Choteau creek	731	900	902	881	....	917	....
331	To legalize the assessment of taxes in Roberts county	731	869	872	921	....	950	....
332	To repeal section 3, chapter 11, laws of 1883	731	869	872	883	....	909	....
333	To provide for taking census	732	901	901	901	....	875	....
334	To amend chapter 45, laws 1883	848	869	872	881	....	917	....
335	To incorporate loan and building associations	890	902	902	....	....	950	....
336	To amend chapter 27, laws 1879	890	900	902	884	....	922	....

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Number.	TITLE.	Received.	First reading.	2d Reading and reference.	Reported back	Miscellaneous.	3d Reading and passage.	Miscellaneous.
337	A memorial to educate Indian children	732	901	962				
339	To amend the Grafton charter	846	900	902			921	890
341	Regarding the townships of Burleigh county	890			885		923	
342	To amend section 14, chapter 30, Political Code	890	900				922	
343	To provide payment of postmasters and cl'k. of Co. com		902	902			923	
344	To vacate portions of Grafton	938					947	
345	To provide for clerks in the executive office	938					946	
346	To amend chapter 44, laws 1883	937					947	
347	To fund debt of Roberts county	937					946	

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